DOCUMENT RESUME

ED 355 741 EC 301 998

TITLE	On Target? Canada's Employment-Related Programs for Persons with Disabilities. Revised.
INSTITUTION	G. Allan Roeher Inst., Toronto (Ontario).
SPONS AGENCY	Department of the Secretary of State, Ottawa (Ontario).
REPORT NO	ISBN 1-895070-04-X
PUB DATE	93
NOTE	256p.
AVAILABLE FROM	Roeher Institute, York University, Kinsmen Building, 4700 Keele Street, North York, Ontario, Canada M3J 1P3 ($22).
PUB TYPE	Books (010) -- Reports - Evaluative/Feasibility (142)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	Accessibility (for Disabled); Access to Education; Delivery Systems; *Disabilities; Employment Opportunities; *Employment Patterns; *Employment Potential; *Equal Opportunities (Jobs); Foreign Countries; Government Role; Labor Force; *Needs Assessment; Policy Formation; Program Effectiveness; *Public Policy
IDENTIFIERS	*Canada

ABSTRACT

This book presents results of a major study of the policies and programs that affect whether people with disabilities take part in the Canadian labor force. It concludes that people with disabilities are excluded, not primarily because of their disability nor its severity, but rather because of barriers resulting from public policy and program arrangements. These barriers are found to fall into six groups: (1) barriers to access to training and educational opportunities; (2) the longstanding historic nature of the employment disadvantage of people with disabilities; (3) lack of access to needed disability-related supports; (4) barriers in attaining higher levels of education and training; (5) the lack of coordination of services to assist these individuals in the transition from school to work; and (6) lack of income support to meet basic and disability-related costs. A comprehensive approach to policy change is recommended, involving policies at each level of government that clearly articulate the goal of mainstream employment for people with disabilities, clear vesting of responsibility for actualizing policies, and establishment of new institutional arrangements and formal agreements to effectively coordinate efforts and resources across governmental levels and departments. Appendices describe policies and programs and present statistical tables. (DB)

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Canada's Employment-Related Programs for Persons with Disabilities

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ON TARGET?

Canada's Employment-Related Programs for Persons with Disabilities

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Canadian Cataloguing in Publication Data

Main entry under title:

On target?: Canada's employment-related programs for persons with disabilities

ISBN 1-895070-04-X

1. Handicapped - Employment - Canada.
I. G. Allan Roeher Institute.
HD7256.C3077 1992 331.5'9'0971 C92-095155-4

Institute Director: Marcia Rioux
Project Director: Cameron Crawford
Principal Researchers: Michael Bach and Cameron Crawford
Editors: Charis Wahl and Laura Code
Desktop Publishing: Dean McCallum

This project was made with the financial and technical assistance of the Status of Disabled Persons Secretariat and the Disabled Persons Participation Program, Department of the Secretary of State of Canada.

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Canada's National Institute for the Study of Public Policy Affecting Persons with an Intellectual Impairment and other Disabilities

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PREFACE

It has been over a decade since people with disabilities presented a new vision of their place in Canadian society in the landmark report, *Obstacles: The Report of the Special Parliamentary Committee on the Disabled and the Handicapped*, published in 1981. Since that time, progress has been made. The *Canadian Charter of Rights and Freedoms* established a clear right for people with disabilities to be free from discrimination. Human rights legislation in each province and territory entrenches similar safeguards. An employment equity framework is beginning to evolve to address the disadvantages that people with disabilities have historically faced in the labour market. There has been a significant expansion of the social service system that delivers disability-related supports to people in their own communities. There is a growing awareness at all levels of government — federal, provincial/territorial and municipal — that disability is an issue deserving higher priority. A consumer movement has developed to advocate for a range of reforms. A network of community agencies has evolved, increasingly controlled by consumers with disabilities, and committed to ensuring that people with disabilities have opportunities to participate alongside other Canadian citizens in the labour market.

However, this progress has not translated into a coherent and guiding policy framework for allocating resources in ways that enable people with disabilities to gain access to the opportunities and supports they require to exercise their rights fully. This is perhaps most evident when examining the situation of people with disabilities at the gates of the labour market.

This study is one of several conducted by The Roeher Institute into public policy and programs that have a critical bearing on the citizenship and rights of people with disabilities. The studies include *Income Insecurity, Poor Places, The Power to Choose* and *Nothing Personal*. However, *On Target?* is unique in its examination of the enormously complex interplay of policies and programs that affect whether people with disabilities take part in the Canadian labour force. Indeed, for people with disabilities to gain access to and remain in the labour market, policy and programs in many domains need to be relied upon — human rights, employment equity, social services and rehabilitation, assistive devices, training, education, counselling and economic development. The organization of policies and programs in each of these domains is critical: how do they address disability? How do they address disability and labour market participation? The coordination of policy and programs *across* these domains is also critical: taken together, do they aid or thwart participation in the labour market by people with disabilities?

How those questions are answered in large part determines the context within which discrete training, educational, job-placement and other programs operate in local communities. There are hundreds, if not thousands, of these local initiatives. As they are constantly coming in and going out of existence, an analysis of each would have taken The Institute far beyond what its resources would allow. It would also have been a less useful undertaking than to look at the broader policy and program conditions that set the direction for those local initiatives.

This was an extremely challenging research project. Without the support of the consumers with disabilities, advocates, service providers, government officials, representatives from the private sector, and others who were interviewed or who lent support to this project, it would not have been completed. Thanks are due to the research assistants — Miriam Ticoll, Bernie Froese-Germaine, Lorraine Bonneville, Elaine Kachala, Quen Tai Lee, Giovanna Heffernan, Lawrence Euteneier and B.J. Richmond — who helped in compiling the data. Particular thanks are extended to Dulcie McCallum and Leon Muszynski for their background work and other contributions to this project.

This report is dedicated to people with disabilities in the hope that it contributes towards realizing their right to participate as equals with others in the Canadian labour force. The Secretary of State Disabled Persons Program had the foresight to recognize the importance of understanding the policy and program framework around disability and employment in order to secure that right. Without that foresight and the generous funding provided by the Disabled Persons Program, this research could not have been undertaken.

Cameron Crawford
Assistant Director

EXECUTIVE SUMMARY

Nearly 900,000 working-age persons with disabilities are not in the labour force. The rate of non-participation is over twice as high as that for people without disabilities. If people with disabilities were participating at the same rate as those without disabilities, over 500,000 more would be in the workforce.

The research revealed that neither disability nor severity of disability are the primary reasons why so many individuals are unemployed, underemployed or outside the labour market. Many people with even severe disabilities are in the labour force, though they are extremely under-represented.

Instead, people with disabilities are excluded from the labour market because of barriers that result from public policy and program arrangements, and because an accumulation of other barriers go unaddressed by public policy. Barriers fall into six broad areas. First, people with disabilities face discrimination in employment practices and in gaining access to needed training and educational opportunities. A range of safeguards have been established through human rights law in Canada to prevent discrimination or to remedy the problem once it has occurred. Yet the research findings were that the human rights framework in Canada has not been as effective as it needs to be if the discrimination faced by people with disabilities is to be addressed. Provisions have been established to limit exclusionary employment practices and to impose on employers a *duty to accommodate* persons with disabilities in the workforce. However, this duty has not been universally implemented in all jurisdictions in Canada, and exemptions to the duty are routinely awarded. For such a duty to be effective, a shared responsibility between employers, unions and society-at-large must be adopted. The study also found that a more effective process needs to be established through provincial/territorial and the federal level human rights commissions in order to deal with complaints of discrimination.

Second, the disadvantage that people with disabilities face in gaining access to the labour market has been entrenched over a long period of time. A number of employment equity initiatives have been implemented at all levels of government and in the private sector to address this historic disadvantage and to increase the representation of people with disabilities in the workforce. Initiatives have been put in place through legislation, as a matter of public policy, and in a few instances through the courts. Yet the goal of employment equity has not been achieved. Indeed, the research revealed that progress has been marginal, has been frustrated by a number of factors, and has been noticeable only in a few occupational categories. Where greater equity has been achieved, this has often occurred by segregating the people affected by employment equity programs in sheltered work settings, and excluding them from mainstream jobs.

Third, this study found that many people with disabilities are unable to gain access to the variety of supports they need to meet their disability-related needs. Although these supports are funded and delivered through numerous programs and agencies, the funding commitment for the delivery of support services and aids/devices falls short of the levels of funding that are necessary. Moreover, restrictive eligibility criteria and caseworker discretion are used to bar many from gaining access to the disability-related services, aids and devices that are in place. Rehabilitation services remain concentrated in larger urban centres and are used only by a minority of people, and the ongoing investment in institution-based rehabilitation services precludes the development of other options in the community. Funding for workplace accommodations is limited, has not been widely advertised, and is fragmented across systems. The consultancy services to assist with making the workplace more accommodating are few and far between. While greater investments are beginning to be made in accessible transportation services, this commitment has not kept pace with the increasing demand. Neither has sufficient attention been focused on finding creative ways to enable people with disabilities to take advantage of private transportation options.

Fourth, it was found that people with disabilities face many barriers to attaining the higher levels of education and training that have a direct impact on gaining access to the labour market. Federal and provincial governments have made an enormous investment in a complex set of arrangements to deliver training and education to target groups that include people with disabilities, and to the population more generally. Despite all these arrangements, the research revealed that people with disabilities are not gaining equitable access to training and education. People's purported lack of employability, their lack of a realistic vocational goal and any number of other exclusionary criteria bar them from gaining access to these important opportunities. A lack of coordination between the social services, income support and the education and training systems makes it difficult — even impossible — for many others to participate. Many training and educational sites are not accessible; the funded training is often too short to be useful; and there is a need for a better match between the learner's needs and the style and forum of instruction. For many, the training does not lead to jobs. For others it leads to job ghettoization. Moreover, the training opportunities are not equally available in all parts of the country. And they are becoming increasingly less available to people who have not been recently attached to the labour market.

Fifth, if people with disabilities are to move from secondary school or unemployment on to further education, training or jobs, and to make similar transitions throughout their lives, a variety of coordination services are needed to assist individuals to realize their goals. These services provide people with important linkages to funding, training, educational and employment opportunities, and service delivery systems. For individuals seeking self-employment — one of the fastest areas of growth in jobs — coordination services are also necessary to help them make the linkages to credit, business resources and other supports.

Yet the study found that the current system for the funding and delivery of coordination services is highly complex, fragmented and piecemeal. It lacks an adequate funding base and is without a guiding policy framework that recognizes that community-based coordination agencies are an essential element of the service delivery structure. The consequence is a system plagued by conflicts of interest and lacking in mandated responsibility for the funding and delivery of services. Because of those problems, it generally provides individuals with only tenuous and inadequate linkages to employers, post-secondary educational and training opportunities, and the needed supports and services.

Sixth, even if people gain access to the labour market, many require forms of income support to meet their disability-related costs. Even where people with disabilities are employed, their earnings tend to be low, employee benefit packages do not always pick up important disability-related costs, and the job often turns out to be temporary. However, the study also found that reliance on the disability-related income support system brings with it many problems. Access to the disability pensions and benefits available under various programs can depend on factors as diverse as restrictive criteria, the discretion of individual case workers, the design and capacity of programs to deliver needed resources, conflicting and varying departmental responsibilities, and the design and delivery capacity of similar programs varying from one province/territory to the next. The result is confusion, incoherence and inequities that make it difficult for individuals to fulfil their needs when attempting to enter or remain in the labour force.

People seeking access to educational loans, grants or training allowances have difficulty qualifying for these. They face carrying a debt they may be unable to repay. They generally have access to only a narrow range of funded options, and often find that the level of funding is not adequate for basic and disability-related costs.

All in all, it was found that the income programs that are in place present major challenges to the labour market integration of people with disabilities. Despite the many arrangements that have been implemented and the enormous costs involved, the fundamental question remains: why can't the system be organized so people can be assured continuity of adequate income to meet disability-related costs while having the opportunity to be educated, to train, and to work?

Because these barriers to labour force participation are the result of ineffective policy and program responses to the goal of labour force participation for people with disabilities, the barriers can be addressed. In order to do this, however, a comprehensive approach to policy change is required.

First, a comprehensive approach requires that a policy framework be adopted at each level of government that clearly articulates the goal of mainstream employment for people with disabilities. For such a policy framework to be effective it would have to incorporate a commitment to ensuring that needed supports, educational and training opportunities, and coordination services are in place. Further, it would have to ensure that regulatory mechanisms in the area of human rights and employment equity are much more effective than they are currently. Such a policy framework would also have to address current disincentives and barriers to participation within the income support and other systems.

Second, a comprehensive approach must account for the fact that mandates and responsibilities are currently split among all levels of government, and among many departments within each separate jurisdiction. Responsibility for actualizing the policy must be clearly vested, and effective accountability mechanisms must be established. As this report shows, no single barrier accounts for exclusion from the labour force, and no one governmental department can address all the issues.

Third, new institutional arrangements and formal agreements are required to give effect to the policy framework and to effectively coordinate efforts and resources across levels of government and departments. Arrangements such as Employability Enhancement Agreements are now in place to coordinate federal and provincial government efforts to help social assistance recipients in making the transition to training and employment. While these arrangements are limited, they serve as useful models for more comprehensive and effective approaches to addressing the problems facing people with disabilities at the gates to the labour market. Similar agreements could be considered in the area of employment and disability.

INTRODUCTION

To what extent are people with disabilities participating in the labour market? Does labour force participation vary significantly among people with disabilities according to gender, geography, access to needed supports, or other factors? Where people with disabilities are employed, what are the public policy and program factors that help account for this? Where people are not employed or are not active in the labour force, what policy and program factors help explain this fact? These have been the guiding questions of this study.

The opening chapter introduces the crux of the issue: people with disabilities are seriously under-represented in the labour force. The chapter sketches the rough contours of the problem across gender, age, geography, occupation, and a number of other lines. The second chapter provides a "snapshot" of the broad policy and program framework that can either contribute to the problem — by creating barriers and disincentives to employment — or assist in counteracting it.

Through the interviews carried out for this study with people with disabilities, government officials and service providers, and through analysis of research and policy documents, it became evident that there are a number of perspectives on disability and employment.[1] The chapters in the body of the study look at the problem of low participation in the labour force from this variety of perspectives: human rights; addressing labour market disadvantage; personal support and rehabilitation; training and education; the delivery of counselling, placement, information and follow-up services; and the impact of income security measures. Because no single perspective can account for the myriad of policy

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[1] Extensive and in-depth interviews were held with people with disabilities, government officials and service providers in various regions across the country. Unless indicated otherwise, statistical data used in this study are from Statistics Canada's 1986 *Health and Activity Limitation (Adult Household) Survey* (HALS) data set. See the preface to Appendix B for a brief explanation of HALS.

> "People hate being rejected, yet persons with disabilities are constantly being rejected in many areas of their lives. This cycle of defeat leads many to simply give up. This in turn can lead to depression, which in turn reinforces the individual's victimization and passivity."
> A consumer advocate[2]

and program factors that enable or block labour force participation, we have adopted a broad analytical framework for this study that integrates each of these perspectives.

The final chapter looks at people who, on account of their age and the severity and duration of their disabilities, might be expected to be at a significant disadvantage in the labour force, yet who are working and taking home the median Canadian earnings or better. These people's lives demonstrate that where policies and programs are working in a coordinated and non-restrictive way to remove barriers and ensure people receive the supports they require, people are in fact more likely to become employed. Regardless of the severity of their disability, they are also less likely to consider themselves completely *prevented* from working because of their disability. This suggests that the critical factors affecting labour force participation can be, and are being, orchestrated in favourable ways for some people. If they are the exception rather than the rule, surely it is worth the effort to make the exception the rule.

Unfortunately, the policy and programs for disability and employment in this country are fraught with problems, rendering provision of support inadequate for hundreds of thousands of people with disabilities who could otherwise be working. The "system" is badly fragmented, operating at cross-purposes and much less effective than it could be. The resulting waste of human and economic resources is enormous.

[2] The term *consumer advocate* refers to individuals with disabilities involved in consumer advocacy.

Included in the final chapter is an examination of a number of policy options that would significantly shift the policy and program environment around disability and employment in this country. This shift would make it possible for more individuals with disabilities to take part in meaningful jobs, enabling them to contribute to society, and at the same time address the costs of living with a disability. Whether effective and collaborative efforts will be made to shift that environment remains a crucial question.

CHAPTER 1.

LABOUR FORCE PARTICIPATION AND DISABILITY

The statistics paint the picture badly: 896,000 of the 1,768,000 working-age people with disabilities are not in the labour force. Adults with disabilities are much less likely than non-disabled adults to have jobs. The rate of working-age persons with disabilities who are neither employed nor actively seeking employment is about twice as high as that for adults who do not have disabilities.

Table A. LABOUR FORCE STATUS OF WORKING-AGE ADULTS: DISABLED AND NON-DISABLED, BY AGE

	TOTAL		EMPL.	UNEMPL.	NILF*	UNKNOWN
ADULTS < 65	16,999,000	100.0	66.8	8.0	25.1	0.2
NOT DISABLED	15,231,000	100.0	69.9	8.1	22.1	0.0
DISABLED	1,768,000	100.0	40.3	7.3	50.7	1.8

*not in the labour force

> "Training for people with disabilities seems to be geographically limited. Logistically, it can be very difficult to [get access to] programs if you are going from one region to the next."
> A consumer advocate

People with disabilities are also about twice as likely as non-disabled persons to have a persistent history of non-participation in the labour force.[3] (Table 1. For numbered tables, see Appendix B.)

The magnitude of this problem can be gauged in a number of ways. If people with disabilities were participating at levels comparable with the non-disabled population, more than 500,000 additional people with disabilities would be in the labour force, either employed or actively looking for work. In other words, we would have to increase the proportion of persons with disabilities active in the labour force by about three-quarters. If people with severe, moderate and mild disabilities[4] were represented in the labour force in the same proportions as are found in the working-age disabled population, nearly four times the current number of people with severe disabilities and twice those with moderate disabilities would be participating. One and one-half times the number of persons with mild disabilities would be participating.

If individuals were proportionally represented according to type of their disability, nearly three times as many people with cognitive and psychological disabilities would have jobs. About twice as many people with mobility, flexibility, seeing and speaking disabilities would have jobs. About one and one-half times those with hearing disabilities would have jobs.[5] (Table 2)

It might be tempting to conclude that the severity of an individual's disability is the critical factor: the more severely disabled, the less likely the individual will be to have a job. There is some truth to this idea. (Table 3) However, severity does not by itself account for why people with disabilities are so poorly

[3] Long-term non-participants are defined as persons who are not currently in the labour force and who have never worked or whose last employment was at least 18 months prior to being asked about their labour force status.

[4] See the discussion of terminologies in *Health and Activity Limitation Survey, Highlights: Disabled Persons in Canada* (Ottawa: Statistics Canada, 1990), p. xxxviii.

[5] As identified by HALS, the major categories of disability are mobility, flexibility (agility), hearing, seeing, speaking and other (cognitive and psychological) disabilities. Many individuals have disabilities falling into two or more of these categories.

represented in the labour force. Even people whose disability is mild and who do not indicate that they have an activity limitation are much less likely than non-disabled Canadians to be employed or actively looking for work.

Table B. LABOUR FORCE STATUS OF WORKING-AGE ADULTS WITHOUT DISABILITIES AND ADULTS WITH MILD DISABILITIES (WITH AND WITHOUT LIMITATIONS AT HOME, WORK, SCHOOL OR ELSEWHERE)

	TOTAL	EMPL	UNEMPL	NILF	UNKNOWN
NON-DISABLED	100.0	69.9	8.1	22.1	0.0
MILD DISABILITY	100.0	49.4	8.6	39.9	2.0
- LIMITED	100.0	46.6	10.3	41.8	1.3
- NOT LIMITED	100.0	53.1	6.4	37.6	2.9

Aside from severity of disability, the employment situation for adults with disabilities varies depending on such factors as age, geography, gender, income issues, type of disability, supports, aids and devices, rehabilitation services, training, transportation and, of course, discrimination.

AGE

The employment situation for adults with disabilities worsens as individuals age: nearly three-quarters of the 500,000 adults with disabilities who are between 55 and 64 years of age are not in the labour force. (Table 4) Persons with disabilities make up 25.6 per cent of the population in this age range, but are 38.9 per cent of the labour force non-participants in this age range. Some 56.2 per cent of people with disabilities aged 55 to 64 are long-term non-participants. In contrast, 31.7 per cent of adults with disabilities aged 15 to 24 are long-term non-participants, as compared with only 22.2 per cent of their non-disabled age peers. (Table 5)

Unemployed older individuals, with or without disabilities, make up a large proportion of workers in industries that face a high incidence of plant closures. These people are inclined to give up looking for employment after a long period of failing to secure it. In addition, high non-participation rates among older persons can be attributed in part to the comparatively greater severity of disabling conditions experienced by persons in this age range.

GEOGRAPHY

Adults with disabilities are about one-half as likely as those without disabilities to be employed in provinces like Newfoundland, New Brunswick and Quebec. They are employed at a higher rate — about two-thirds the level of non-disabled adults — in Manitoba, Saskatchewan and Alberta. (Table 6)

GENDER

Generally speaking, males are more likely to be represented than females in management positions, foreman/woman jobs, and in skilled, semi-skilled and manual work. Where employed people have disabilities, the gender gap widens in these occupations (except in semi-skilled manual jobs): women are even less likely to be represented if they have a disability. (Table 7) Of some interest is the fact that females with disabilities are also less likely to be employed in some female-dominated areas, such as the clerical and service fields.

Males are also more likely than females to have full-time jobs lasting six months or more. Again, the gender gap widens where disability is an issue: females with disabilities are even less likely than other women to have full-time work lasting six months or more. (Table 8)

INCOME

Adults with disabilities are much more likely than non-disabled adults to have total incomes of less than $10,000, and are considerably less likely than non-disabled persons to have incomes above $10,000. They are just over half as likely as non-disabled adults to have earnings of $35,000 or better. Again, however, adults with disabilities are much less likely than non-disabled adults to be active in the workforce, and so it is hardly surprising that the incomes for this population, when considered in general, tend to be lower than for non-disabled adults.

Table C. WORKING-AGE CANADIANS WITH AND WITHOUT DISABILITIES: TOTAL INCOME ALL SOURCES

GENERAL POPULATION				FEMALE	MALE
TOTAL	16,999,000	100.0	100.0	50.3	49.7
$0-4,999		32.0	100.0	67.3	32.7
$5,000-$9,999		13.6	100.0	63.0	37.0
$10,000-$19,999		21.0	100.0	54.1	45.9
$20,000-$34,999		21.7	100.0	32.9	67.1
$35,000 +		11.7	100.0	14.4	85.6
NOT DISABLED					
TOTAL	15,231,000	100.0	100.0	50.3	49.7
$0-4,999		31.3	100.0	67.2	32.8
$5,000-$9,999		13.1	100.0	63.7	36.3
$10,000-$19,999		21.2	100.0	55.1	44.9
$20,000-$34,999		22.2	100.0	33.6	66.4
$35,000 +		12.1	100.0	14.5	85.5
DISABLED					
TOTAL	1,768,000	100.0	100.0	49.7	50.3
$0-4,999		37.6	100.0	67.4	32.6
$5,000-$9,999		18.1	100.0	58.5	41.5
$10,000-$19,999		18.9	100.0	44.3	55.7
$20,000-$34,999		17.4	100.0	24.8	75.2
$35,000 +		8.0	100.0	13.8	86.2

TYPE OF DISABILITY

Disadvantage in the labour force is also strongly influenced by the nature of one's disabilities. Persons with visual disabilities are among the least represented in the labour force; those with hearing difficulties are comparatively well represented among people with disabilities.

INFORMATION AND PERSONAL SUPPORT

Whether people require more support in daily living activities[6] than they are currently receiving has a bearing, not only on labour force participation, but also on individuals' perceptions of their ability to work. A high proportion of those who consider themselves completely prevented from working receive less support in daily living activities than they require. (Table 9)

A comparatively high proportion of individuals who have been out of the labour force for a long time indicate they require more support than they are currently receiving and do not know where to find information about their rights if refused work because of their condition. That pattern seems to hold true regardless of the severity of disability.

USE OF AIDS AND DEVICES

The proportion of those requiring but not having assistive devices and who are employed is considerably lower (31.6 per cent) than of persons who either do not need devices (42.4 per cent) or whose needs in this area are being adequately met (36.2 per cent).

> "Welfare and $50 a month in a workshop is exploitive and unfair."
> A consumer advocate

[6] In determining whether individuals require assistance/more assistance from others in daily living activities, a variable was derived on the basis of screening and other questions in sections A, C, F and H of the HALS survey.

UTILIZATION OF REHABILITATION SERVICES

Having opportunities to participate in physiotherapy, occupational therapy or speech therapy can also make the difference between working and not working. These services can help people not in the labour force to consider themselves able to work. Persons with significantly disabling conditions who participate relatively frequently in rehabilitation services are more likely to be employed than persons who do not use these services. Frequent users of the services not in the labour force are less likely to consider themselves completely prevented from working because of their condition. These favourable outcomes seem to be directly related to the frequency of participation in the rehabilitation services; yet only about 11 per cent of this population are using such services at all. (Table 10)

TRANSPORTATION

Most individuals in rural areas, regardless of their labour force status, face difficulties around the supply of, or access to, community transportation services.[7] In urban areas, the persons most likely to encounter these problems are not in the labour force. (Table 11)

Among persons with disabilities who are employed, 73.1 per cent use their private vehicle as their principal form of transportation, as do 63.4 per cent of employed persons attending community college or CEGEP. Of those attending school but not in the labour force, however, only 29.8 per cent use private vehicles to attend classes. In other words, those most in need of education — persons not in the labour force — are likely to have difficulties gaining access to those educational opportunities because of lack of appropriate transportation.

[7] In determining whether individuals were in communities where there is a lack of community transportation (regular and parallel), or whether individuals were facing difficulties using the services that are in place, a variable was derived on the basis of the questions in section F and H of the HALS survey.

TRAINING AND EDUCATION

Participation in employment generally rises as educational attainment increases. (Table D, page 92) Some 23.1 per cent of young adults (aged 15 to 24) with disabilities who are not in the labour force have achieved only primary level education. Individuals who have taken training or retraining courses are more likely to be actively seeking jobs and less likely to be completely outside of the labour force.

DISCRIMINATION

About 74,000 adults with disabilities who have jobs, are looking for work, or do not feel completely prevented from working indicate that they believe they have been refused employment specifically because of their condition. Over 15 per cent (15.8) of actively job-seeking adults with disabilities (i.e., unemployed) perceive this kind of unlawful discrimination.

> "We need to overcome the notion that the individual deserves less because they have a disability or because adaptive approaches like equipment or workplace modifications need to be followed. These don't necessarily detract from the quantity or quality of work the individual can do." A service provider

LAYERS OF FACTORS CREATE MULTIPLE DISADVANTAGE

Taken together, these factors have a critical impact. An example makes this point clear. There are slightly more than 65,000 women, aged 40 to 64, with severe disabilities requiring assistive devices and personal support around daily living activities. Nearly 10,000 of these women need more assistive devices than they are currently using, have less than high school education, require more personal support than they are currently receiving, do not know where to get information about their rights in the event of discrimination, and face problems with the supply or use of community transportation services. Among these women, 92.8 per cent are not in the labour force. Fewer than 1,000 of these 65,000 women receive enough personal supports and assistive devices, have no problems with community transportation services, have at least a high school education, and know where to get information on their rights.

> "The minimum wage should function as a minimum rather than as a maximum wage. Sheltered workshops violate this basic principle."
> A consumer advocate

Not only do combined negative factors reduce the likelihood of labour force participation, but for some persons the likelihood is high of falling subject to all of those factors. Similarly, escaping all the potentially negative factors is very unlikely for some groups of persons, at least in the current policy and program environment.

"I went to University of Victoria to get analyzed. I was told if I got taught right when I was young I would have been able to go on. They said it was because the teacher neglected me. I went to school for four years only to a special school but I didn't learn anything there because it was a handicapped school. I'm at the point where I don't want to be anywhere. I've been crammed here, crammed there, I've been pushed here and there, told what to do."

A consumer

CHAPTER 2.

THE POLICY FRAMEWORK FOR ADDRESSING THE PROBLEM

In Canada, a complex policy and program framework exists to fund and implement specific interventions to address problems facing people with disabilities in the labour market. This framework is grounded in six perspectives of the problem of low participation by people with disabilities in the labour force.

These are:

1) a recognition that *discriminatory labour market practices* exist and can be remedied;
2) a recognition that people with disabilities face *disadvantages* in the labour market and that interventions can be made to remove these;
3) a recognition that *support services and rehabilitation* can enable individuals to overcome personal limitations that affect their activity in the labour market, or can enable individuals to participate despite those limitations;
4) a recognition that persons with disabilities do not have access to the *educational and training opportunities* that are important to employment and that these barriers can be removed or at least lowered;
5) a recognition that *counselling, placement, information and follow-up services* are essential to enable individuals to participate in the labour force;

6) a recognition that the often contradictory eligibility criteria and other features of the *income security* system addressing disability affect labour force participation.

In order to address these various aspects of the inadequate representation of people with disabilities in the Canadian labour force, governments at all levels have drawn upon a broad set of policies:

- human rights legislation;
- employment equity legislation and initiatives;
- the Canada Assistance Plan;
- the Vocational Rehabilitation of Disabled Persons Act and Agreement;
- the Canadian Jobs Strategy and the Labour Force Development Strategy;
- Employability Enhancement Agreements for social assistance recipients;
- Workers' Compensation legislation;
- provincial/territorial legislation and programs for education, training, support services and management of the labour market.

Brief outlines of these policy areas follow. Further discussion is provided in the chapters dealing with specific issues and policy areas.

HUMAN RIGHTS LEGISLATION

Consumer advocacy groups and governments are increasingly recognizing that people with disabilities face discriminatory employment practices both in locating and maintaining jobs.

Consequently, the *Canadian Human Rights Act* and all provincial/territorial human rights acts explicitly prohibit discrimination in employment on the basis of disability. In addition, the provincial/territorial and federal governments can put in place affirmative action or employment equity programs to increase the employment of persons with disabilities, without contravening the human rights codes.

Section 15 of the *Canadian Charter of Human Rights and Freedoms* — the highest "law of the land" — establishes that all individuals have the "right to equal protection and equal benefit of the law" without discrimination based on disability. The *Charter* also protects affirmative action programs that redress the disadvantages people with disabilities have faced.

EMPLOYMENT EQUITY LEGISLATION AND RELATED INITIATIVES

Federal employment equity legislation and programs aim to increase the labour force participation of people with disabilities, women, Aboriginal peoples and visible minorities. Quebec has a legislated employment equity program that targets people with disabilities. Ontario is holding public consultations as a preliminary step towards introducing employment equity legislation that would encompass people with disabilities.

Both the federal and Quebec legislation require that designated employers report on the number of people with disabilities in their workforce. In certain instances, plans to remove workplace barriers

> "Employer expectations are sometimes very high and inflexible. You hear things from employers like, 'My two-year-old could do this faster.' This leads to discouragement." A consumer advocate

to the hiring and support of people with disabilities must also be reported. Some assistance is provided to employers to develop plans and to remove barriers to employment.

Governments at all levels, including some municipal governments, have instituted non-legislated employment equity measures in the public sector workforce. In some instances, they have also required contractors to comply with employment equity principles and programs. In addition, some members of the private sector have voluntarily implemented employment equity initiatives over and above those legislated.

THE CANADA ASSISTANCE PLAN

Under the Canada Assistance Plan (CAP), the federal government shares with provincial/territorial governments 50 per cent of the costs of social assistance and certain social services delivered by the provinces and territories.[8] Funding for supports related to training and employment are cost-shared under the *assistance provisions* and *welfare services* provisions of CAP. Fundable supports include some mechanical aids and devices, rehabilitation services, homemaker services and counselling services. Although CAP makes these goods and services available, its provisions do not provide clear entitlement to these supports for those who need them. Access to these supports is usually at the discretion of caseworkers and officials empowered to determine eligibility.

> "People are judged in terms of their productivity. But this is not fair where people have not had a chance to work and to learn."
> A consumer advocate

The *assistance* provisions of CAP address the *special needs* of persons with disabilities who are unable to cover such costs themselves. Eligibility for assistance is determined by provincial/territorial government agencies.

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[8] For a more detailed discussion of provisions under the Canada Assistance Plan see The G. Allan Roeher Institute (S. Torjman), *Income Insecurity: The Disability Income System in Canada* (Downsview, 1988); The G. Allan Roeher Institute, *Poor Places: Disability-Related Residential and Support Services* (Downsview, 1990); and Sherri Torjman, "Individualized Funding in Relation to the Canada Assistance Plan," in The G. Allan Roeher Institute, *The Power to Choose: An Examination of Service Brokerage and Individualized Funding as Implemented by The Community Living Society* (Downsview, 1991).

As a result of the recent Federal/Provincial Review of Fiscal Arrangements Affecting Persons with Disabilities, persons with disabilities have been designated a group *likely to be in need.* Individuals with a disability are now eligible, by virtue of having a disability, for support funded under the *welfare services* provisions of CAP. In theory, they no longer have to fall into poverty to gain access to funded services. Formerly, they were required to meet the tests of persons *in need.*

THE VOCATIONAL REHABILITATION OF DISABLED PERSONS (VRDP)

The VRDP Act enables the federal government to share equally with the provinces/territories the costs of providing vocational rehabilitation services to enable people with physical and/or mental disabilities to "become capable of engaging in" a "substantially gainful occupation," including:

> *employment in the competitive labour market, the practice of a profession, self-employment, home making or farm work (including work where payment is in kind rather than in cash), sheltered employment, home industries or other homebound work of a remunerative nature...*[9]

Goods and services cost-shared under VRDP Agreements include:

- assessment and counselling services provided by government agencies, community employment agencies and training institutions such as vocational and community colleges;
- restorative goods and services including prosthetic devices, orthotics, wheelchairs and technical aids;
- vocational training;

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[9] The purpose of the cost-shared vocational rehabilitation services is specified, along with the types of services eligible for cost-sharing, in the Vocational Rehabilitation of Disabled Persons Agreements, signed between the federal and provincial/territorial governments. The administration of the Agreements is provided through the Social Service Programs Branch of the Department of National Health and Welfare.

- books, tools and equipment required in vocational training and rehabilitation;
- modifications to individuals' homes, vehicles, places of training or employment to enable them to pursue a substantially gainful occupation;
- maintenance and training allowances as required, including wage subsidies for on-the-job training;
- employment placement services;
- time-limited goods and services to assist individuals once they have obtained employment; and
- goods and services during a "vocational crisis," in which people are in jeopardy of losing their jobs due to a disabling condition.

Provincial and territorial governments design their own vocational rehabilitation service programs and deliver services through any combination of government agencies, community and vocational colleges, and designated private and voluntary sector agencies.

The 1988 Federal-Provincial Review of Fiscal Arrangements Affecting Persons with Disabilities resulted in eight significant changes to the VRDP Agreements:

- vocational crisis costs have become shareable for up to six months in any individual case;
- the allowable period for wage subsidies for training on-the-job has been increased from 12 to 24 months;
- follow-up goods and services to support persons who have finished training and are employed has doubled from 18 to 36 months;
- technical aids and devices are to be provided for all eligible persons on the basis of demonstrated need, without a means or income test;

- new individualized funding for the purchase of attendant care, interpreters, aids and devices enables the government to provide cash directly to individuals to arrange their own purchase of goods and services. Governments also use program funding to provide goods and services cost-shareable under the VRDP Agreements directly to individuals or through contracted community agencies;
- provincial governments are now encouraged to promote greater involvement of individuals with disabilities in determining the training, goods and services they require;
- provincial governments are required to put in place appeals procedures to allow individuals to appeal decisions regarding their eligibility for goods and services cost-shared under the VRDP Agreements;
- both levels of government are committed to sharing responsibility for gathering and distributing information on cost-shared programs.

In 1989 and 1990 more than 200,000 working-age individuals with disabilities received cost-shared services under VRDP.

"The lack of trust is a barrier. People who have been labelled 'mentally handicapped' are often afraid of being exploited, accused wrongly and blamed for things that go wrong. Without an advocate it is hard to believe that this is not going to happen, and as a result people are afraid to seek employment and the programs that might help them become employed."

A consumer advocate

THE CANADIAN JOBS STRATEGY AND THE LABOUR FORCE DEVELOPMENT STRATEGY

The Canadian Jobs Strategy (CJS) was introduced in 1985 as a means of coordinating the federal government's involvement in skills training (a provincial jurisdiction) and job development. Responsibility for CJS at the federal level is vested in Employment and Immigration Canada (EIC). Counterparts at the provincial/territorial level include departments of advanced education, training and labour, and their designated agencies.

CJS introduced six programs to achieve its objectives. People with disabilities have gained access to CJS primarily through the Job Development and Job Entry programs. The Job Development program was designed to assist the long-term unemployed in developing job skills through on-the-job training, classroom training and work experience. Job Entry was designed to assist individuals who have difficulty entering or re-entering the labour market after extended periods outside it. The program was designed to focus on youth, women and "the severely employment disadvantaged." In the other CJS programs, people with disabilities have had much less participation.[10]

Each program enables funded training, sometimes for up to three years (the original maximum was 52 weeks.) This extension might facilitate greater participation by people with disabilities.

> "If an individual with a visual impairment is not a client of this social service organization, there is little likelihood that he or she will know about subsidies and resources that are available under CJS, and so will not be able to inform the employer."
>
> A service provider

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[10] Other CJS programs include: *Skills Shortages*, which assists employers to train workers in skills that are, or are anticipated to be, in short supply; *Skill Investment*, which retrains workers whose jobs have been affected by technological development or changes in labour market needs; *Community Futures*, which assists communities outside metropolitan areas with high unemployment, supporting business development, entrepreneurship, and individual training and relocation; and *Innovations*, which sponsors innovative projects in new business creation, training methods, and business and labour cooperation.

Training may be provided in the classroom, on-the-job, or both. Participants may receive training allowances, and some programs provide employers with subsidies to provide on-the-job training.

Programs have been funded through the National Training Agreements, which specify the federal dollar commitments for purchase of "seats" in courses funded and delivered under provincial/territorial training institutions. These agreements also lay out the total federal dollars for employers and coordinating groups to purchase training from provincial/territorial institutions. CJS Implementation Agreements and specific agreements for the six CJS programs are in place between the federal and each provincial/territorial government. The agreements clarify the roles for each level of government in developing provincial/territorial training plans and coordinating and funding the purchase of training. The federal government makes the largest contribution in all cases.

The 1989 Labour Force Development Strategy (LFDS) incorporated many of the elements of CJS; however, LFDS is a more comprehensive framework for labour market policy. It includes three major components: new policy principles; new program structure; and a new role for the private sector in labour market policy, programs and development.

LFDS is intended to promote and increase partnerships among labour, business, provincial/territorial and federal governments, and interest groups, including disability organizations. A second goal is to promote community-based participation in the delivery of training programs. A client-centred approach is to be adopted in vocational counselling, in the selection of training options, and in the provision of assistance. In addition, special measures are to be taken to correct the disadvantages faced by people with disabilities, women, Aboriginal peoples and visible minorities.

The new training program structure identifies four key program areas (into which the six previous CJS programs and various program options have been incorporated). First, the Information and Special Initiatives Program incorporates the front-line services provided by local Canada Employment Centres (CECs) and will include labour market information and the labour exchange or clearing-house of information on job vacancies. It will also provide "special needs determination" services, which are a counselling and assessment process to identify clients, including persons with disabilities, who may require special training or supports.

Second, the Employability Improvement Program is to assist individuals, including people with disabilities, facing serious labour market disadvantages to gain access to the labour market. It incorporates options of the Job Entry and Job Development programs of CJS, which have been the programs most utilized by people with disabilities in the past. When fully implemented, the program will, at least in theory, provide client-centred employment counselling to facilitate the purchase of training programs, will arrange wage subsidies to encourage employers to hire disadvantaged individuals, and will make income support available to individuals participating in training. The program will also fund the Outreach program, through which community agencies provide people with disabilities with counselling, vocational assessment, job search assistance, job placement and referral assistance. Some forms of cooperative education are also funded under this program. Through these, persons with disabilities may participate in training opportunities while at secondary school or during post-secondary education.

Third, the Labour Market Adjustment Program includes interventions to assist employers in human resource planning and in adjusting workforce skills to changing technologies and needs. It also aims to implement employment equity.

In order to do this, Employment and Immigration Canada provides employers with assistance, under the Employment Equity Act and the Federal Contractors Program, to design and implement comprehensive plans to remove workplace barriers affecting the four designated groups—women, people with disabilities, Aboriginal peoples and visible minorities. This assistance is usually in the form of employment equity counsellors, who are employed or contracted by regional offices of EIC.

> "Funding is controlled by the able bodied for the disabled. They often cannot conceive of the problems we face."
> A consumer advocate

Fourth, the Community Development Program incorporates the Community Futures Program of CJS and initiatives to encourage the development of self-employment ventures among Unemployment Insurance (UI) claimants and social assistance recipients.

A major feature of LFDS is a new and expanded decision-making role for the private sector, including business, labour and community-interest organizations representing the employment equity target groups. A tri-level structure of Labour Force Development Boards will manage cooperation between governments and private sector partners in labour force planning and development.

The labour force development boards at the national, provincial/territorial and local levels will review and advise on the implementation of the four program areas outlined above. The national board will also determine overall training priorities, consider standards for training, and advocate for an increased emphasis on training. National disability organizations have jointly selected a representative to sit on this board.

The provincial/territorial labour force development boards are now being put in place and will be structured like the national board. They will advise on training plans for their respective jurisdictions and on the effectiveness of federal and provincial/territorial government expenditures on training initiatives.

Local labour force development boards, also with a wide representation from the private sector, will assume responsibility for local training plans. Local boards are to allocate funds for the purchase of community-based skills training.

Aboriginal Management Boards are being established to develop and implement training strategies to meet the training and labour market needs of Aboriginal peoples. The ways in which Aboriginal peoples with disabilities will be represented is not yet determined.

The new programs under LFDS, and the provincial/territorial and local labour force development boards, are to be implemented through Labour Force Development Agreements between the federal and each provincial/territorial government. The Agreements lay out the responsibilities of each level of government and financial contributions for implementing LFDS programs. A variety of National Training Agreements, Implementation Agreements and specific program agreements remain in place.[11]

Until LFDS has been fully implemented, aspects of CJS will continue to operate. As a result, there will continue to be considerable blurring of the lines separating these two major policy frameworks and their programs.

EMPLOYABILITY ENHANCEMENT AGREEMENTS

Beginning in 1985-86, Employability Enhancement Agreements or accords were signed by the federal and provincial/territorial governments. Health and Welfare Canada and Employment and Immigration Canada are signatories, as are their provincial and territorial counterparts. The Agreements aim to implement incentives for social assistance recipients to participate in employment training and to make the transition from welfare to the labour force.

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[11] There is as yet no agreement on structure for implementation of LFDS across all jurisdictions.

Governments believed there was a need to deal with this issue particularly in light of the dramatic increase in social assistance recipients during times of recession. Given the significant proportion of social assistance recipients who have disabilities, these Agreements could be used to enable people with disabilities to make the transition from welfare to work.

WORKERS' COMPENSATION

Workers' Compensation Boards (WCBs) are independent boards established in all provinces and territories to protect workers and their dependents from wage loss due to job-related injury or disease. Workers' Compensation is a social insurance program into which employers deposit premiums and from which eligible injured workers receive compensation on a no-fault basis (i.e., workers are unable to sue employers for work-related accidents in which the employer was negligent).

The Boards also provide or contract rehabilitation, re-training, employment counselling and job-placement services to claimant workers. Employers are required to re-hire injured workers in some jurisdictions only. Recent changes in the Ontario legislation make it incumbent on employers to provide employees who are eligible to be re-hired with the supports necessary to accommodate them in the workplace.

"The biggest single roadblock is public attitude — treating people as recipients rather than as contributing members."
A consumer advocate

PROVINCIAL/TERRITORIAL LEGISLATION, POLICY AND OTHER PROVISIONS

Many provinces and territories have implemented social assistance and vocational rehabilitation funding programs, many of which are cost-shared under CAP or VRDP Agreements. Because education and training fall within provincial/territorial jurisdiction, these governments have also enacted education laws for primary and secondary schooling and laws for the provision of adult and advanced education and training.

Other policy arrangements also affect the labour force participation of persons with disabilities. Some govern the relationship between a person's earnings from employment and their utilization of alternative or supplementary sources of disability-related income, goods and services. These arrangements include provincial/territorial social assistance legislation, income tax provisions, the Canada and Quebec Pension Plans, and public and private disability insurance schemes.[12] In addition, specific programs to support people with disabilities, such as special contributions from Transport Canada, are discussed throughout the report, but are not key elements of the employment-related policy framework.

[12] The relationship between income support, medical and dental benefits and the employment of persons with disabilities under the policies and programs which affect this relationship, is discussed in Chapter 8 on income issues.

CHAPTER 3.

DISCRIMINATION, DISABILITY AND EMPLOYMENT

Any employer who refuses to employ someone simply because of that individual's disability is practising discrimination under federal and provincial/territorial law. The scope of discrimination in employment can be determined in two ways: examining human rights cases; or looking at whether people with disabilities perceive that they have been discriminated against. Either approach gives us only a partial and probably unreliable picture, but these are the only available sources. On the basis of both sources, it appears that discrimination is widespread. This chapter outlines the problem of low labour force participation in the context of discriminatory labour force practice. It also examines provisions in human rights law to prevent and respond to discriminatory employment practices.

One in six active job seekers with disabilities (15.8 per cent) believe that they have recently been refused work[13] because of their condition. Among those currently employed and who had a work-related limitation during their job interview, 17.2 per cent believe they have been refused work because of their condition, as do 26.6 per cent of those not active in the labour force but who have looked for work in the past two years.

A very considerable number of complaints received by the Canadian Human Rights Commission are those of discriminatory treatment in employment or services for reasons of disability.[14]

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[13] I.e., in the five years preceding HALS 1986.

[14] Canadian Human Rights Commission, *1988 Annual Report* (Ottawa), p. 42.

Such cases handled by provincial human rights commissions have increased dramatically.[15] Whether an individual will actually be refused a job because of disability depends on a variety of factors.

FACTORS INFLUENCING DISCRIMINATION

Occupational category

Discrimination against people with disabilities occurs more in some occupational fields than others. Unemployed semi-professionals[16] and semi-skilled workers, for example, are more than twice as likely to be refused jobs because of disability than job seekers in general. Rates of discrimination against job seeking supervisors, foremen/women, clerical workers, service workers and manual workers are also high. The problem is not as widespread in the professions, in middle management, and in the skilled crafts.

Gender

Women with disabilities are regularly refused work in some occupational categories. Women make up 4.2 per cent of workers in the skilled crafts, yet 12.6 per cent of those who have faced discrimination. And 47.6 per cent of persons with disabilities employed as professionals are women, but women comprise 60 per cent of those who have been refused such jobs because of their disabilities. Women with disabilities are least likely to encounter discrimination in the semi-professional, clerical, sales, service and semi-skilled fields.

Overall, however, men are more likely than women to indicate that they have been refused jobs because of their disability. Males between 15 and 24 seem less likely to claim discrimination, but

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[15] Of the 726 complaints filed with the Canadian Human Rights Commission in 1989, 34 per cent were filed by persons with disabilities, and 82 per cent of these complaints were employment related. In Manitoba in 1989, 21 per cent of all formal complaints accepted by the Manitoba Human Rights Commission were related to discrimination in employment against persons with disabilities. The figure in British Columbia was 32 per cent; in Ontario, 39 per cent; in Newfoundland, 20 per cent.

[16] The professional occupations include accountants and financial officers, a range of social and physical scientists, engineers, analysts, social workers, legal professionals, physicians, therapists and surgeons, educators and other positions for which university degrees are usually required. The semi-professional occupations include those more focused on technical applications (surveyors, physical science technologists/technicians, dental technicians), as well as a range of professions in the communications, arts and entertainment and sporting industries.

83.1 per cent of persons between 55 and 64 who have experienced discrimination are males. Females with disabilities are most likely to encounter discrimination between 15 and 24 years of age.

Age

Workers younger than 40 years of age are most likely to encounter discriminatory employment practices. More than half (53.8 per cent) of working-age adults with disabilities active in the labour force (i.e., employed or active job seekers) or "able to work"[17] are between 40 and 64 years old. Yet such persons constitute only 34.5 per cent of those who have recently experienced disability-related employment discrimination.

Severity of disability and support levels

Of adults with disabilities who are active in the labour force or able to work, 63.8 per cent have mildly disabling conditions. The remaining 36.2 per cent are persons with moderate or severe disabilities. Yet, 61.2 per cent of those refused jobs because of their condition have moderate or severe disabilities.

However, while severity of disability is a critical factor, the people most likely to have been refused employment include individuals not receiving adequate levels of support. This is true, whatever the severity of their disability. (Table 12)

Type of disability

Some 34 per cent of job seekers with a visual impairment indicate that they have been refused jobs because of their disability. Nearly one-quarter (23.2 per cent) of job seekers with several disabilities are refused employment because of their disabilities. Such individuals comprise nearly one-half of all job seekers with disabilities.

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[17] People defined as "able to work" are people identified in HALS as not active in the labour force but whose condition does not completely prevent them from working at a job or business. (The research includes in the "able" and "prevented" categories only those who responded to the question on HALS questionnaire Form 02.)

Education

Active job seekers with only Grade 1 to 4 education are very likely (32.7 per cent) to be refused jobs because of their disability. Yet an equal rate (32.5 per cent) of those with trades certification face this problem. In fact, persons with some form of higher education—perhaps a certificate or diploma but not a university degree—are most likely to face discrimination.[18] (Table 13)

Income from social programs

Unemployed persons whose recent principal income has been benefits or pensions from the Canada/Quebec Pension Plan (C/QPP), welfare or mixed program sources are very likely to be refused jobs because of disability. The problem is severe for beneficiaries of these programs who are not looking for work, but who have looked for work in the past two years and who consider themselves able to work. (Table 14)

Geography

Where individuals live influences whether they will be refused a job because of disability. In Newfoundland, for example, only 2 per cent of people with disabilities who are active in the labour force or consider themselves able to work indicate that they have been refused work because of their condition. In contrast, persons are much more likely to encounter this problem in Quebec (9.6 per cent) and in British Columbia (9.7 per cent). People with disabilities active in the labour force or able to work are least discriminated against in rural areas (5.7 per cent), slightly more so in smaller towns or cities (6.3 per cent), and most discriminated against in large cities such as Vancouver, Montreal and Toronto (9 per cent).

In conclusion, a number of factors have a bearing on whether people with disabilities face discrimination in the labour market. These factors affect individuals' earnings. Quite simply, people who have been refused jobs because of their disability are likely to earn less than other people: fully 63.2 per cent of those who have been recently refused employment but who have secured jobs earn less than $10,000. Only 37.1 per cent of employed people with disabilities who have not recently been refused work because of their disability earn in that low range.

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[18] The reasons for this are not immediately clear: perhaps such persons are more likely than others to seek jobs in occupational categories where discrimination is most widespread.

> "People are usually required to have a high school diploma and some experience for most jobs. Many people ... do not have this."
>
> A consumer advocate

The factors associated with discrimination also affect how individuals see their opportunities in the labour market. Active job seekers with disabilities who have been refused work because of disability are only about one-third as likely as other job seekers with disabilities to feel that they have a good or excellent chance of finding work in the next six months. People with disabilities who are employed but who have recently been refused a job because of their disability are about three times as likely as other employed individuals with disabilities to feel that their job security is poor, and about twice as likely to feel that their opportunities for job advancement are poor.

PROVISIONS FOR PREVENTING DISCRIMINATION

Prohibitions against discrimination

Discrimination can be defined as the unequal or unfair treatment of certain individuals or groups because they possess particular characteristics. Human rights legislation in Canada prohibits discrimination, whether intentional, unintentional or systemic.[19]

[19] This principle was made very clear in two 1985 cases: *Ontario Human Rights Commission and O'Malley* v. *Simpson-Sears Ltd.*, [1985] 2 S.C.R. 536, 7 C.H.R.R. D/3012 and *Bhinder* v. *Canadian National Railways*, [1985] 2 S.C.R. 561, 7 C.H.R.R. D/3093. See also discussion of *Singh* v. *Security and Investigation Services Ltd.*, an unreported decision by the Ontario Human Rights Board of Inquiry on May 31, 1977, in Bill Black, "From Intent to Effect: New Standards in Human Rights," in *Canadian Human Rights Reporter* (February 1980).

Some provincial/territorial governments are amending their human rights acts to explicitly prohibit both systemic and unintentional discrimination.[20]

Proscribed grounds of discrimination

Not all human rights acts in Canada provide a definition of mental and physical handicap or disability. However, these terms are proscribed grounds of discrimination in all federal and provincial/territorial human rights legislation. Section 15 of the *Canadian Charter of Rights and Freedoms*, with which all federal and provincial/territorial legislation and policy must comply, guarantees the right to equality for all persons, without discrimination on the grounds of mental or physical disability, among other proscribed grounds.[21]

Section 10 of the *Canadian Human Rights Act* prohibits discrimination in recruitment, referral, hiring, promotion, training, apprenticeship, transfer or any other matter relating to employment or prospective employment. Federal and provincial/territorial human rights legislation generally prohibits discrimination on the basis of mental or physical disability in job advertisements, personnel classification or qualification procedures, job interview questioning procedures, job referrals by employment agencies, and required enrollment in employee benefit, pension, insurance, or superannuation plans and employee organizations or unions.

The national and provincial/territorial governments have implemented a number of provisions to discourage discrimination

> "If you make your disability known during a job interview, you run into many excuses that leave you wondering whether the disability was the [reason] why you didn't get the job."
>
> A consumer advocate

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[20] See the *Yukon Human Rights Act*, Section 11; the *Ontario Human Rights Code*, Section 10; and the *Manitoba Human Rights Code*, Section 9, for examples.

[21] Some Commissions include as proscribed grounds infectious diseases and some other diseases that can cause disability, such as cancer, Human Immunodeficiency Virus (HIV) infection, Acquired Immunodeficiency Syndrome (AIDS) or AIDS-Related Complex (ARC). See the *Manitoba Human Rights Commission Policy and Procedures Manual* for an example.

in the labour force and to provide remedies when discrimination has occurred. Human rights laws, and the policies and rulings established under them, play an essential role in defining discrimination in employment and in making visible how discriminatory practices operate. They define the duties and responsibilities of employers and unions in removing discriminatory practices, in redressing past discrimination, and in preventing discrimination in the future. The laws, policies and rulings also serve as critical tools for education and for raising awareness about roles and responsibilities. They provide a basis on which to design policies and programs to address discrimination and to accommodate persons with disabilities in the labour force.

> "The attitudes of the hiring personnel are a major disincentive. Often they are afraid and have concerns about how [hiring a person with a disability] will affect the workplace. As a result they will not even interview."
> A consumer advocate

Process for complaints and remedies

Federal and provincial/territorial human rights acts have established *human rights commissions* (called the Council of Human Rights in British Columbia). The commissions deal with complaints alleging discrimination, clarify what is discriminatory practice, administer justice when discrimination is found and create disincentives for future discrimination.

The commissions determine whether complaints are well founded, investigate where appropriate, and facilitate private settlements. They can also convene (or ask the minister responsible to convene) *human rights tribunals* or *boards of enquiry* to hear complaints.

The board or tribunal can impose *orders to remedy* discriminatory practices. Should no discrimination be found, the

> "If you do state that you have a disability, the doors are slammed in your face. For instance, interviewers will often cut short your job interview when you appear nervous. But when you have a tremor because of your disability, you appear nervous. So the interview is terminated."
> A consumer advocate

board or tribunal can dismiss the complaint. Complainants, respondents and human rights commissions may *appeal* orders of tribunals or boards of enquiry to the courts.[22]

Limitations of the complaints process in addressing discrimination

There has been a large increase in the number of complaints coming before human rights commissions involving discrimination, disabilities and employment. Not surprisingly, the commissions are increasingly backlogged and unable to deal adequately with these cases. For persons with disabilities, seeking redress can take years and mean considerable personal cost. Moreover, given the defence mechanisms available to employers (see page 37, bona fide occupational requirements, and page 40, tests of accommodation), the cases are likely to be dismissed. Such a discouraging prospect is defeating: individuals are disinclined to exercise the human rights process and the commissions become ineffective in stemming and addressing discrimination. Commissions are trying to streamline procedures, investigations, settlements and hearings. However, with no foreseeable end to inadequate funding, it is a virtual certainty that they will remain bogged down.

Given the backlog and the human rights statutory framework, the commissions settle most complaints non-publicly. Non-public settlements may be helpful to the individuals involved, but do little to produce systemic changes because no precedents are publicly established to guide future rulings.

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[22] Another legal safeguard against discrimination in employment is the right in some human rights acts of freedom from harassment (Section 13.1(1) of the *Canadian Human Rights Act*, for example, provides such a safeguard, as does human rights legislation in Manitoba, the Yukon and Ontario). The Manitoba legislation defines harassment as "a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any [proscribed ground of] discrimination." Under the Ontario *Code*, persons "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome" are engaging in harassment.

According to these definitions, many people with disabilities would perceive themselves to be victims of harassment in training or in employment-related situations; however, few cases of alleged harassment of persons with disabilities in employment have been considered so far by boards of inquiry, tribunals or courts.

Amendments are required to human rights legislation to allow human rights commissions to initiate their own complaints, class action suits and representative claims. Changes must be made so that systemic discrimination can be dealt with in a more comprehensive and pro-active way.

Bona Fide Occupational Requirements (BFORs) or Qualifications (BFOQs)

Although discrimination is prohibited by human rights laws, not every claim of discrimination made against an employer is upheld. Human rights laws provide employers with a statutory defence known as the bona fide occupational requirement (BFOR) or qualification (BFOQ). A BFOR/BFOQ is the "requirement, qualification, or factor" (as stated in the *Ontario Human Rights Code*) that a person needs to satisfy to perform a job adequately without unnecessary risk to self or others. Employers can use a BFOR/BFOQ to argue that a person is unable, because of disability, to meet the qualifications or requirements of the job.

Human rights boards of inquiry and the courts impose two tests on an employer's BFOR/BFOQ defence.[23] First, the employer must show that the qualification or requirement is imposed in good faith. Second, employers must demonstrate that the requirement is *objectively* related to the "efficient and economical performance of the job without endangering the employee, his fellow employees, and the general public." *Objectivity* requires statistical and/or medical evidence, not merely the "impressionistic" evidence of persons experienced in the field. Any discriminatory requirement, qualification or factor must meet the BFOR/BFOQ tests, which

"Employers ask about certification for mental health problems. Certification is like a death sentence."
A consumer advocate

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[23] These two tests were originally established by the Supreme Court of Canada in *Ontario Human Rights Commission v. Borough of Etobicoke*, [1982] 1 S.C.R. 202, 3 C.H.R.R. D/781 (and known as the Borough of Etobicoke test). These tests have been reaffirmed by the Supreme Court of Canada in *Bhinder* v. *Canada National Railways, supra* Note 19 *per* McIntyre J. at S.C.R. 589 (C.H.R.R. D/3095) and *per* Wilson J. at S.C.R. 580 (C.H.R.R. D/3097); and by the Supreme Court of Canada in *City of Saskatoon and Saskatoon Professional Fire Fighters Union, Local 80* v. *Saskatchewan Human Rights Commission and Craig* (1990), 11 C.H.R.R. D/204.

limit the grounds on which people with disabilities can be excluded from the workplace. The procedures for granting employers BFOR/BFOQ exemptions for certain employment practices further these limitations.

In part, exemptions occur through the rulings of boards of inquiry, tribunals and the courts. Some human rights legislation also outlines administrative procedures through which applications for exemptions can be sought and granted.[24]

Some provincial/territorial human rights commissions have official guidelines by which employers can determine if their employment-related medical tests are indeed bona fide occupational requirements. There are well-founded concerns that employers' tests continue to be used unfairly to screen people with disabilities — particularly those with HIV/AIDS or ARC (AIDS-Related-Complex). Again, the function of the guidelines is to limit the grounds on which employers' claims are likely to be found bona fide.

Limited capacity of BFORs/BFOQs in preventing discrimination

BFORs/BFOQs actually provide potentially strong safeguards against discrimination: the tests they impose require employers to prove that a BFOR/BFOQ exists. Yet, four key factors in the application of the BFOR/BFOQ tests weaken these safeguards and have resulted in the dismissal of complaints of discrimination by people with disabilities.

The first stumbling block is that objectivity tests are not always fulfilled. The evidence required to justify a BFOR/BFOQ must be more than impressionistic. In theory, this requirement makes it difficult for employers to exclude individuals from employment on the basis of prejudice; however, in some cases the objectivity tests have not been fully met when a BFOR/BFOQ defence has been granted. For example, a 1989 Canadian Human Rights tribunal[25] simply accepted a foreman's testimony that a worker was not coordinated enough to do the job, although the worker had passed

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[24] The *New Brunswick Human Rights Code* is distinct from Acts in most other jurisdictions in this regard. It allows employers to apply to the New Brunswick Human Rights Commission for recognition that a particular employment practice is a BFOQ, and for the Commission to either recognize or refuse to recognize the validity of these claims.

[25] See *Lee* v. *British Columbia Maritime Employers Association* (1989), 10 C.H.R.R. D/6526.

[26] One of the first cases to articulate a standard of acceptable risk as a test of a BFOR/BFOQ was the Supreme Court of Canada decision in *Bhinder, supra* Note 19. In this case, it was found that the risk to Mr. Bhinder's (the complainant) health and safety would increase marginally by his refusal to wear a hard hat on the job (as a Sikh, he refused to do so on religious grounds). The Supreme Court of Canada therefore found that the employer's (Canadian National Railway) hard hat requirement was a BFOR/BFOQ.

The Federal Court of Appeal in *Canadian Pacific Ltd.* v. *Canadian Human Rights Commis-*

the required medical examination and had worked on the docks for 418 days over a five-year period.

A second area of difficulty is the standard used to determine the level of risk—to the health and safety of the employee in question, co-workers, or the public—that is tolerable before a BFOR/BFOQ will be granted. Although employers cannot discriminate under human rights legislation, they are obligated under federal and provincial/territorial labour codes, and under occupational health and safety laws, to maintain work environments as free as possible from risks to health and safety. Some individuals can be excluded from the workplace on that basis: the accommodations they require may be deemed to present unacceptable levels of risk to the individual or others. In such a case, the accommodation could be considered a violation of a BFOR/BFOQ.[26]

> "There is a real need for changes in job descriptions so there can be more give and take with co-workers. This is especially important in rigid organizations like government and unions."
> An advocate

It is not clear whether a new risk standard will be imposed as a test for BFORs/BFOQs. Without a more stringent standard, the BFOR/BFOQ provisions may be little safeguard against the discrimination experienced by people with a disability.

Third, BFOR/BFOQ criteria are framed with reference to a pre-existing job description. Individuals who fail to demonstrate that they satisfy the criteria for the job as constituted may be inappropriately denied employment. The criteria can be used to exclude the individual from the workplace if a duty to accommodate is not found. BFOR/BFOQ claims often do not have to take into account that, although individuals cannot fulfill a particular definition of tasks in a prescribed way, they could still do the job; they simply may have to do it another way, with different or additional supports.

***sion and Mahon* (1987), 8 C.H.R.R. D/4263 held that "a requirement that reduced risk of injury by even a small amount should be considered a bona fide occupational requirement." Citing *Bhinder*, the Federal Court had overturned on appeal a decision of the Canadian Human Rights Tribunal, which had found that "the risks involved in employing a stable diabetic like Mahon were not sufficiently great to justify refusing to employ him" (*Mahon* v. *Canadian Pacific Ltd.* (1985), 7, C.H.R.R. D/3278).**

The *minimal risk standard* for a BFOR/BFOQ defence, which was established in *Bhinder* and *Mahon*, is now being reconsidered by the courts, but a new standard has not been definitively established.

In the 1990 Supreme Court of Canada case, *Central Alberta Dairy Pool* v. *Alberta Human Rights Commission*, (1990), 72 D.L.R. (4th) 417, the court referred to the *Bhinder* decision. Writing for the majority, Wilson J. suggested that the court may have erred in *Bhinder* "in concluding that the hard hat rule was a BFOR." She suggested that while the court found minimal

Finally, BFORs/BFOQs require individuals to meet certain criteria; yet there are no societal requirements to ensure that people with disabilities gain access to the means by which they can satisfy those criteria. For example, a BFOR/BFOQ may require that a job applicant have a certain level of education; yet society is not obliged to provide people with disabilities with the opportunities to acquire that education. Therefore, people with disabilities are left to shoulder the responsibility of satisfying the requirements for labour force participation.

The duty to accommodate

Under some human rights legislation in Canada there is a further test that employers must meet before an employment practice is ruled exempt from anti-discrimination provisions: the test of *reasonable accommodation* of an employee. In some jurisdictions, a BFOR/BFOQ will not be granted until it has been demonstrated that efforts have been made to accommodate the individual, to the point of *undue hardship* to the employer.[27]

In determining the legal requirements of an employer to accommodate a person with a disability, the key issue is to define *reasonable* and how criteria are to be applied to any particular situation. Legislative guidelines and court rulings direct that, in making accommodations, employers must respect the dignity of

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> **"The Wage Policy in Ontario is an employer's dream. It really accommodates the employer because employers do not really have to make reasonable accommodations. They can simply determine and pay their own minimum wage. This excludes people from the protections of the Employment Standards Act."**
>
> **A consumer advocate**

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risk would result from not wearing a hard hat, a minimal risk standard was not necessarily a test of the BFOR/BFOQ. She suggested instead that the issue was whether wearing the hard hat was "reasonably necessary for the safety of Mr. Bhinder, his fellow employees, and the general public." A "reasonably necessary" standard would be a more stringent standard to meet than a "minimal risk" standard.

27 People with disabilities may require a number of accommodations in order to participate in the workplace. These may include technical aids and devices, also structural changes to improve the physical accessibility of the workplace, interpreters, adaptations to print materials for those with visual or intellectual impairments, modified work hours, re-design of job tasks, reassignment, and on-the-job personal/attendant support. See Chapter 5 for a discussion of the supports individuals may require.

28 The duty to accommodate is imposed in a number of different ways Section 23(2) of the *Ontario Human Rights Code*, for instance, establishes that the duty to accommodate to

people with disabilities if it does not create undue hardship to the employer. The legislative guidelines in Ontario specify that undue hardship will be determined according to costs of accommodation and the risks to health and safety that result from the accommodations. Where accommodations do not cause undue hardship, strategies for putting them in place are also provided in the guidelines.[28]

> **"The manager said that I couldn't get into the union because they feel I cannot do more than what I'm doing now."**
> **A consumer advocate**

In the federal and in some provincial/territorial jurisdictions, there is no duty to accommodate prescribed by statute or commission policy, although the *O'Malley* decision, rendered by the Supreme Court of Canada, established such a duty. However, in the *Bhinder* decision, McIntyre J. ruled that, where a BFOR/BFOQ has been allowed, there is no duty to accommodate a person who does not meet the BFOR/BFOQ.[29] On the other hand, the Supreme Court decision in the *Central Alberta Dairy Pool* case established that, even if the duty is not expressly articulated in statutory law, a duty to accommodate to the point of undue hardship is to be imposed on employers in cases of adverse-effect discrimination and in cases in which no BFOR/BFOQ has been granted.[30]

It appears, however, that the most comprehensive duty to accommodate is provided in those jurisdictions in which the duty *is* prescribed in statute and standards of undue hardship are stringent. As the case law increases we will get a clearer picture of how narrowly or widely the standards of undue hardship will be cast.

The duty to accommodate in employment is incumbent not only on employers, but also on unions, in so far as they are parties to collective agreements that establish terms and conditions of the workplace.[31] One of the most contentious issues here is whether the union seniority provisions must be disrupted in order to accommodate persons with disabilities: must employees who have

the point of undue hardship is a test of BFORs/BFOQs. The Ontario Human Rights Commission has also established guidelines to assess undue hardship and reasonable accommodation. See Ontario Human Rights Commission, *Guidelines for Assessing Accommodation Requirements for Persons with Disabilities* (Toronto: Ministry of Citizenship, 1989.)

The duty to accommodate in employment is also stated in Section 12 of the *Manitoba Human Rights Code*. The right to reasonable accommodation is explicitly extended in the written policy of the Manitoba Human Rights Commission to those persons with HIV/AIDS or ARC (AIDS-Related Complex). Section 7 of the Yukon *Act* also grants the right to reasonable accommodation to people with disabilities (up to the point of undue hardship to the employer), but only if they have a physical disability. Some officials have indicated that this is a drafting error in the legislation that needs to be amended.

Other means of prescribing a duty to accommodate are found in policies of human rights commissions. While New Brunswick's *Act*, for example, does not prescribe gained positions by seniority give such positions over to persons with less seniority to accommodate them adequately in the workplace? In these instances, persons with disabilities advance not through seniority, but because of disability. (The counter-argument holds that because people with disabilities are likely to make transitions in and out of the labour market, or to require leave because of their disability, they are less likely than others to accrue the seniority that comes with long, unbroken periods of service.)[32]

Human rights provisions in Canada are unclear on whether the duty to accommodate requires disruption of seniority privileges.[33] However, rulings to date suggest that, in jurisdictions in which the duty to accommodate is statutory — embedded in legislation — it prevails over other laws that may sanction exclusionary rules like seniority provisions.

Problems with the duty to accommodate

Many groups and agencies, including the Canadian Human Rights Commission,[34] have called for amendments to the *Canadian Human Rights Act*, and to provincial/territorial human rights acts, to legislate the duty to accommodate persons with disabilities.[35] There are two key arguments for having such legislation as a curb on employer's defence of bona fide occupational requirements. First, people with disabilities are discriminated against on the basis of *neutral working rules*[36] and BFORs/BFOQs. Of 10 cases on employment discrimination and disability reported in the *Canadian Human Rights Reporter* between July 1989 and July 1990, seven cases were dismissed: in each case employers successfully argued that the complainants with disabilities were unable to meet the bona fide occupational requirements. Second, the public, employers and people with disabilities generally have little awareness of the duty to accommodate, even where such a duty exists. Awareness would be raised through amendments and the accompanying guidelines developed in making the duty a statutory one.

the duty to accommodate. Section XVI of the *Policy and Procedures Manual* of the Commission does require this. This policy establishes the guidelines for assessing whether reasonable accommodations have been made or whether they are possible to implement. The policy states that the meaning of reasonable will be determined in particular circumstances and will depend on factors that include the "costs and benefits, size and economic position of the employer, number of employees, availability of alternate means, impact on others ... undue hardship on the employer (for example, disruption of service; excessive reduction of profitability; or unreasonable burden on co-workers)."

In Ontario, recent amendments to the province's *Workers' Compensation Act* (Bill 162) also include the duty to accommodate. The *Act* has imported the principle and the language of the *Ontario Human Rights Code* into s.54(b), a re-employment provision in the *Act*. The provision requires that employers offer to re-employ the injured worker who: "on the date of the injury, had been employed continuously for at least one year by the

Features of the *Ontario Human Rights Code* might serve as a model for other human rights legislation at the federal and provincial/territorial levels. Under the Ontario legislation, employers have a duty to accommodate persons affected by bona fide occupational requirements. In other words, the Ontario legislation requires employers to attempt to provide reasonable accommodations to the needs and limitations of persons with disabilities before being granted the BFORs/BFOQs for employment practices that would otherwise exclude a person with a disability from the job.

Another problem stems from the fact that employers and unions are rarely required to accommodate individuals who need on-the-job attendants for medical or personal care or ongoing personal support for needs arising from an intellectual or psychiatric disability. The cost of such support is likely to be considered undue hardship. However, cases that require adapting the workplace to employees' physical limitations are more likely to be considered *reasonable*. As a result, the duty to accommodate is inequitably applied, depending on the type of disability and on the accommodations required.

Provisions in some human rights codes, and principles established in human rights case law, make it clear that the hiring process, pre-employment application forms, and pre-employment and post-hiring medical and functional testing cannot inquire into aspects of mental or physical disability not directly related to the job applicants' or employees' performance of the job. Yet employers are not often required to provide accommodations to people with disabilities during interviews and other aspects of the hiring process. For example, employers may react negatively to an inability to communicate in conventional ways, to disfigurement or a nervous

"Individuals who have not been given a chance to prove themselves are not likely to do well in a job interview. Many get rejected out of hand." A consumer advocate

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employer..., and who 'is medically able to perform the essential duties of the worker's pre-injury employment or is medically able to perform suitable work...' "

Sub-section (6) of s.54(b) prescribes the duty to accommodate up to the point of undue hardship "the needs of a worker who is impaired as a result of the injury."

The Workers' Compensation Board *Operational Policy* (07-05-07), like the *Ontario Human Rights Code*, establishes the principle that accommodations are to respond to the particular needs of the individual. The policy points to some examples of accommodations that could be required. These include the adaptation of facilities to improve accessibility, job and task restructuring, the modification of work hours or creation of part-time positions, acquiring devices, modification of equipment, and the provision of on-the-job assistants and support staff.

29 *Supra* Note 19. The judgement of Sopinka J. (Separate Reasons, Concurring Results) would find a duty to accommodate, regardless of whether the rule results in direct or adverse effect discrimination.

tremor, or to an unusual manner of social interaction that may arise from a psychiatric disability or the resultant social isolation. The end result is systemic discrimination because people usually go through the hiring process unaccommodated.

Currently, many applicants choose not to disclose *hidden* disabilities during job interviews, fearful that employers will either not hire them or fire them rather than make accommodations. However, the problem might be resolved if both employers and applicants knew that there were supports available beyond those employers were able or prepared to provide, and that it was therefore unnecessary (as well as unlawful) to refuse jobs because individuals might later require support. In this situation, applicants may prove less reluctant to disclose their disability.

The need for shared responsibility in accommodation

The duty to accommodate has been imposed solely on employers, when imposed at all. There is a limited patchwork of consulting services, information and financial supports to assist employers in making workplace accommodations. However, a number of issues block wide utilization of even those forms of support, as is pointed out in Chapter 5 on supports for labour force participation.

This imposition erroneously assumes that employers are principally responsible for the barriers to employment. Certainly employers play a critical role in determining whether persons with disabilities will have jobs; however, they can hardly be brought to account for the generations of employment practices and technologies developed through government regulation and support that pose serious obstacles for people with disabilities. Nor can employers be held accountable for barriers outside the workplace, such as the lack of training and education, and the lack of income support and services to meet disability-related needs. Employers bear some responsibility for removing barriers to employment; however, it seems reasonable that society-at-large must assume part of that responsibility.

30 In the *Central Alberta Dairy Pool* case (*supra* Note 26), it was established that, where a working rule is "neutral on its face" and results in adverse-effect discrimination for some persons in the workplace (which will always be a minority of people in the workplace), the test of reasonable accommodation should be imposed on the employer.

Wilson J. articulated the requirements that an employer must meet if what has been referred to as a neutral working rule can be retained:

a) the neutral working rule or condition must be "rationally connected to the performance of the job" and,

b) "if so, ... the respondent employer [must] accommodate the employee [i.e., the complainant] up to the point of undue hardship..."

Where these requirements are met, the working rule will continue to apply to the majority of persons in the workplace for whom accommodations are not necessary. While in that sense the employer is able to continue applying the neutral working rule, he or she must make efforts to accommodate the minority who are adversely affected by it.

In summary, a number of factors affect whether people are refused jobs because of their disabilities. A range of safeguards have been established to prevent discrimination from happening and to remedy the problem once it has occurred. These measures play an important role in limiting the conditions on which it is acceptable for employers to refuse employment. They outline the duties of employers and unions in addressing the results of discriminatory practices, past and present, and in preventing these practices in the future. These measures are also critical tools for raising general awareness about the problem within society.

Yet the human rights framework in Canada is limited in its ability to stem and address discrimination as it affects people with disabilities in the labour market. The objectivity tests of BFORs/BFOQs are not always met. Standards of acceptable risk are unclear. While BFORs/BFOQs can be used to limit discrimination, they can also be used to entrench narrow ways of thinking about work and about how people with disabilities can perform job tasks. BFORs/BFOQs can also be used to *blame the victim* and let society off the hook because they do not impose a responsibility on society to ensure people's access to the opportunities needed to satisfy BFOR/BFOQ requirements. While the duty to accommodate can be imposed in some circumstances, it is difficult to impose it in situations (in most jurisdictions) where BFORs/BFOQs have been granted. Nor is there a shared responsibility between society and employers and unions for making accommodations, which makes it all too probable that employers' claims of undue hardship will go unchallenged.

Those with disabilities who do challenge what they believe to be discriminatory practice in the labour market are greeted by human rights commissions that are under-funded, bogged down by caseloads, and inclined to seek private settlements that have limited impact on a systemic level. Despite the human rights framework, the problem of discrimination in the labour market against people with disabilities persists.

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31 See *Renaud* v. *Central Okanagan School District No. 23* (1987), 8 C.H.R.R. D/4255 on appeal to the Supreme Court of Canada, and *Irene Gohm* v. *Domtar Inc. and The Office and Professional Employees International Union, Local 267* (1990), 12 C.H.R.R. D/161.

32 As Michael Church has pointed out, "[t]he result is that the disadvantaged rules. The Supreme Court of Canada has held that employers have a duty to accommodate in cases where an evidently neutral employment rule or practice results in systemic or adverse-effect discrimination, even if the duty has not been prescribed in statutory law (see Note 26).

33 The *Ontario Human Rights Code* requires reasonable accommodation, and Section F of "Standards for Assessing Undue Hardship" in the Commission's *Guidelines for Assessing Accommodation Requirements for Persons with Disabilities* places this responsibility on both employers and unions. Yet it lays ultimate responsibility for making accommodations at the feet of employers, who may in turn be forced to violate collective agreements in the interests of implementing the necessary modifications. A recent ruling on this issue indicates that in Ontario seniority provisions are not exempt from the duty to accommodate that is imposed upon unions. The New Brunswick Human Rights Commission's *Policy and Procedures Manual*, however, indicates that violation of the seniority provisions of collective agreements could constitute undue hardship. Wilson J. in the *Alberta Dairy Pools* case also speculated that disruption of a collective agreement may constitute undue hardship.

34 See Canadian Human Rights Commission, *1990 Annual Report* (Ottawa). Also see Yvonne Peters, *Defining Equality* (Winnipeg: Coalition of Organizations of the Handicapped (COPOH), December 1988).

35 Such amendments may no longer be necessary for dealing with neutral employment practices or rules. The Supreme Court of Canada has held that employers have a duty to accommodate in cases where an evidently neutral employment rule or practice results in systemic or adverse-effect discrimination, even if the duty has not been prescribed in statutory law (see Note 26).

36 See Notes 26 and 30.

CHAPTER 4.

LABOUR MARKET DISADVANTAGE AND EMPLOYMENT EQUITY

People with disabilities find themselves at a disadvantage in the labour force for a wide variety of reasons: the poor economic situation of the province/territory in which the individual lives; limited access to information about human rights; limited access to personal supports, aids and devices, and rehabilitation services; poor opportunities for training and education; inaccessible transportation services; and discriminatory practices in the labour market.

A variety of employment equity laws and policies are aimed at creating more equitable representation of people with disabilities and other disadvantaged groups in the labour force. These laws and policies are based on the acknowledgement that such groups encounter systemic barriers to employment as the result of long-standing discriminatory practices and other disadvantages. It is assumed that increased labour force participation of these groups will be achieved only if educators, trainers, employers and unions remove the systemic barriers to employment.

EMPLOYMENT EQUITY INITIATIVES TO ADDRESS LABOUR MARKET DISADVANTAGE

The human rights system

Because of the disadvantages that persons with disabilities have historically faced, human rights laws in Canada enable special programs to be established to achieve greater equality for this group in the labour force. These special programs discriminate in favour of those who have characteristics that are prohibited grounds of discrimination. Approval of these programs by human rights commissions ensures that employers will not be accused of reverse discrimination. In some jurisdictions (i.e., Manitoba and Saskatchewan), commissions can assist employers in designing and negotiating employment-related special programs, and some jurisdictions have developed criteria for evaluating and approving employment equity programs. Human rights boards and tribunals can order the imposition of such programs[37] for people with disabilities, although this power has not been used in practice.

Employment equity legislation

The federal government and the government of Quebec have passed employment equity legislation that requires employers to develop plans to increase employment equity in their workplace.[38] The federal legislation, the *Employment Equity Act*, was passed into law in 1986 upon the recommendation of the Abella Royal Commission on Equality and Employment. The law covers federally regulated, private sector employers and federal Crown corporations with 100 or more employees, but it does not cover the federal public service.

To date, employers have not been required to submit their

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[37] See s.(41)(2) of the *Canadian Human Rights Act*; the *Manitoba Human Rights Code*, s.43(2); and the *Quebec Charter of Human Rights and Freedoms*, s.86(3). In *Action travail des femmes* v. *Canadian National Railways Ltd.* (1987), 8 C.H.R.R. D/4210, the Supreme Court of Canada ruled that the Tribunal did have the power to order an employment equity program to end systemic discrimination by addressing the consequences of past employment practices.

[38] Similar legislation is currently being considered in Ontario.

"Sometimes people with disabilities are used by employers. There are issues about the accountability of employers for their use of dollars to supplement wages." A consumer advocate

employment equity plans to the government, nor are these plans enforced under the *Act*. Government monitoring is limited to a requirement that employers submit an annual report to the Minister of Employment and Immigration identifying the proportion of persons with disabilities employed, promoted and terminated in various occupational and salary categories. To assist employers to prepare and implement employment equity plans and to meet the requirements of the *Act*, EIC has made employment equity consultants available through its provincial/territorial offices.

While copies of the employment equity reports are forwarded to the Canadian Human Rights Commission, the Commission does not have a clear enforcement role in employment equity under the *Act*. (The *Canadian Human Rights Act* enables the Commission to undertake investigations, but the Commission's scope of action has been a contentious issue.) Since 1988 the Commission has struck agreements with employers to conduct voluntary reviews, and a major complaint of systemic discrimination against persons with disabilities has been filed with the Commission against nine federally regulated employers.[39]

There are two Quebec laws concerned with employment equity.

"Employment equity is not effective because it is not enforced. There is progress in other parts of the world, such as Germany, where there are quotas and where revenues collected through fines go to rehabilitation and workplace modification programs." A consumer advocate

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[39] The complaint was initiated by Disabled Persons for Employment Equity, a coalition of disability advocacy organizations.

Under the *Act to Secure the Handicapped in the Exercise of Their Rights*, which established the Office de personnes handicappes du Quebec (OPHQ), employers with more than 50 employees, excluding the public service and Crown corporations, must submit a plan to the OPHQ for increasing the hiring of persons with disabilities.

Section 92 of the Quebec *Charter* states that the government must require its departments and agencies to implement affirmative action programs within a time frame the government sets. To date the government has established mandatory affirmative action only for women.

Government contract compliance programs

Because of the volume of goods and services purchased through federal, provincial and municipal government contracts, these contracts can become means of implementing employment equity provisions. The goal of the Federal Contractors' Program is to ensure that contractors who do business with the federal government achieve and maintain a workforce that adequately represents women, persons with disabilities, Aboriginal peoples and visible minorities. The program covers contractors with 100 or more employees who bid on federal government contracts of $200,000 or more. The program requires that contractors implement an employment equity program that identifies and removes barriers to hiring, promotion and training members of the four designated groups. The contractor

> "Employment equity is a weak version of affirmative action. Quotas can backfire because you can define anyone as disabled. There are many attitudinal barriers to overcome. Training can help overcome these barriers. This is critical to employment equity if legislation and monitoring are weak." An advocate

must also increase participation of the designated groups in all levels of employment. Having certified in writing their intention to implement employment equity programs, employers must design programs that meet criteria established by Employment and Immigration Canada.

Quebec adopted a contract compliance program targeting women, Aboriginal peoples and visible minorities. People with disabilities were seen to be covered under the OPHQ employment equity program outlined above.

The *Manitoba Human Rights Code* (s.56(1)) authorizes the implementation of such a program for parties entering into contracts with the provincial government, Crown agencies and local authorities. No contract compliance program has been put in place in Manitoba, however. Contract compliance programs have also been implemented at the municipal level in several provinces/territories in a number of instances.

Public sector employment equity programs

Initiatives to achieve employment equity in the public service at all levels of government have been implemented. Public sector employment equity programs are voluntary and are constrained by departmental budgets and collective bargaining agreements. (Some programs have been negotiated with public sector unions that hire persons with disabilities for jobs not covered by the collective bargaining agreement.) Enforcement of employment equity, however, has not been put into place.

> "Enough screwing around with affirmative action. The present programs have no teeth. The employer is asked to file a report that states that the employer has the *intent* to hire."
> A consumer advocate

The federal Treasury Board has established an Employment Equity Policy to cover the federal public service and federal agencies. The policy requires that departments and Crown corporations remove barriers to the employment of persons with disabilities by providing and covering the cost of technical aids and attendant and other specialized services to meet employment-related needs. The Public Service Commission is to provide employment-related assistive devices and technical aids, as well as related expertise and a national network of coordinators of services to persons with disabilities. These coordinators provide counselling, coordination and information services. The Public Service Commission also manages an inventory of job seekers with disabilities, makes public service job referrals and manages the ACCESS program, an on-the-job training program designed to assist persons with disabilities to develop work experience and become more competitive in the public service labour market. Financial incentives to government departments to provide on-the-job training to persons with disabilities have also been established.

Provincial and territorial governments have instituted non-legislated employment equity programs — which include people with disabilities as a target group — for their respective civil or public services. These vary greatly among jurisdictions, but may include:

- advertisement of employment equity goals;
- targeted recruitment strategies;
- education and awareness programs within the public services;
- provision of technical aids, devices, personal support services, alteration of job tasks, etc., to accommodate persons with disabilities;
- on-the-job training;
- representation target surveys and action plans.

Many provincial governments have put in place procedures for government departments to analyze departmental employment practices that may act as barriers to hiring or employing persons with disabilities. The procedures include provisions for plans to remove these barriers. However, monitoring, approvals and penalties are not imposed. A number of municipal governments have also implemented employment equity programs featuring one or more measures used by provincial/territorial governments.

LIMITED IMPACT OF EMPLOYMENT EQUITY MEASURES

Both the 1986 Health and Activity Limitation Survey (HALS) and the workforce surveys of employers covered under the federally legislated employment equity program indicate that employment equity initiatives have not had a substantial impact on the overall representation of persons with disabilities in the workforce. HALS shows that where such initiatives are in place, there are higher proportions of employees with moderate and severe disabilities (Table 15), particularly those whose disabilities are severe and/or affect the amount or kind of work they can do. (Table 16) There is also a tendency for a relatively high proportion of individuals limited at work and with moderately disabling conditions to remain employed where special initiatives are in place. However, HALS data also indicates that among those employed in the mainstream labour market (i.e., not in sheltered workshops) there is little difference in participation rates of people with more extensively disabling conditions, regardless of whether employment equity initiatives are in place.[40] (Table 17) The most significant hiring under employment equity arrangements has also tended to be restricted to a select range of occupations. (Tables 18 and 19) In part, this is because a high proportion of people with severe and moderate disabilities employed in situations where employment equity initiatives have been implemented are in sheltered work settings.

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[40] Employment equity initiatives and hiring practices appear to have their greatest effects within a fairly limited range of occupations: upper and middle management positions; professional, semi-professional and technical occupations; and clerical jobs. Foreman/woman positions might also be included, but the actual numbers of individuals identified as being affected by special hiring initiatives in this occupational grouping are too small to draw any major conclusions.

Sheltered or "enclave" employment has been used to satisfy employment equity objectives: some companies contract with sheltered workshops to provide training, work or work activity placements for job applicants with disabilities for this purpose; others bring individuals into job settings that set them apart from the majority of employees. However, disability groups have called for an end to such employment options because they violate the principles of inclusion and integration for people with disabilities. Disability groups and, increasingly, governments hold that employment equity plans should not achieve their goal at the price of segregation and exclusion.

"Before I started at the workshop they put me through this month-long evaluation. The first day they asked me about my interests and hobbies. Then they put me into various exercises – know your colours, make patterns of blocks, then place mats, spelling, math, and then they put me in a workshop for nine years and gave me $30 a month." A consumer advocate

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Workforce surveys indicate that increases in participation have been minimal under legislated employment equity and the federal public service program. In fact, the number of persons with disabilities in the workforce covered under federal employment equity legislation has increased less than one percentage point from 1.6 per cent in 1987 to 2.4 per cent in 1990. In the federal public service, the rate of participation of persons with disabilities in 1991 was 3 per cent, a .3 percentage point increase since 1988 and a percentage point decrease of .1 from 1990. Of those employed in the public service, over 50 per cent are in administrative support positions and only .7 per cent are in management positions.[41]

[41] These figures are provided in Treasury Board of Canada Secretariat, *Employment Equity in the Public Service of Canada: Report to the Special Committee on the Review of the Employment Equity Act* (Ottawa, February 1992).

In 1990 persons with disabilities in permanent full-time employment covered under legislated employment equity were most highly represented in: clerical (40.1 per cent); middle and other management (17.8 per cent); skilled crafts and trades (9.8 per cent); semi-skilled manual labour (8 per cent); and professions (5.8 per cent).

ISSUES TO BE RESOLVED IN EMPLOYMENT EQUITY

For any new employment equity framework to operate effectively, a number of existing issues and trade-offs would have to be resolved.

Responsibility for employment equity

In much the same way as the duty to accommodate has not been seen as a broad societal obligation, neither has the responsibility for achieving employment equity. This has had two adverse consequences. First, it has been assumed that a mandatory approach, in which employers would be required to design and implement plans to provide accommodations and remove barriers to employment, would impose too great a burden. Second, even the limited burden now imposed under federal employment equity legislation and contract compliance programs is assumed to be too great for smaller employers. As a result, only a small percentage of the Canadian

> "The government is not pushing all that hard. They need to crank up the heat, especially in their own back yard. The federal government is not a real example at this time."
> A consumer advocate

workforce is covered under such measures. If employment equity is to be achieved, the required resources must be obtained through a sharing of costs between employers and society-at-large.

Voluntary versus mandatory measures

With the exception of the Federal Contractors' Program and orders of human rights tribunals or boards, there is no employment equity measure that *requires* employers to eliminate barriers through the implementation of employment equity plans. There is no enforcement, systematic monitoring of implementation or penalties for non-compliance. Instead, the system merely requires employers to report on—but not to plan for and implement—employment equity programs. The lack of enforcement makes it possible for employers to opt out of employment equity. Enforcement now occurs only through a case-by-case, complaint-driven human rights process so overloaded that it often takes years for the duty to accommodate to be imposed. Along the way, employers are likely to seek exemptions to the duty by claiming the undue hardship of being solely responsible for the cost of accommodating persons with disabilities.

Given the low impact of voluntary measures, increased success is likely to come only with mandatory employment equity plans. However, such an approach is likely to succeed only when the responsibility for achieving employment equity goals is more widely shared.

The problem of consistency in reporting requirements

Another shortcoming of present employment equity arrangements is that the same employer may need to adhere to different reporting requirements. For instance, the City of Toronto contractors program has a different set of occupational categories than do the Federal Contractors' and Employment Equity programs. As provincial legislation on employment equity is introduced, the confusion surrounding a patchwork of initiatives, each with different terms and conditions to be satisfied, is likely to increase. Unless consistency in reporting requirements is established across national, provincial and municipal jurisdictions, it will continue to be difficult to determine how far employment equity objectives are being achieved.

Target levels

The existing framework for establishing targets for participation in employment of persons with disabilities is problematic. First, there remains a significant gap between the current rate of participation of people with disabilities in the workforce under legislated employment equity (2.4 per cent in 1990) and the 5.4 per cent target rate for participation established by Employment and Immigration Canada.

There is an even wider gap between the current target level and the level of participation in jobs if persons with disabilities participated in the labour force at the same rate as persons without disabilities. The targets are based on the number of persons with disabilities currently working and those actively looking for work (i.e., employed during the previous 52 weeks). In 1986 these groups made up 6.6 per cent of all Canadians participating in the labour force (employed and actively looking for work),[42] 1.2 per cent higher than the target set by the federal government. However, this figure does not include the 896,000 working-age people with disabilities (50.7 per cent) who are not currently working or actively looking for work. If people with disabilities were to participate in the labour force at the same rate as the non-disabled working-age population in Canada (78 per cent), the target rate would have to be set at 10.8 per cent.

Second, to group persons with disabilities into one general category misses important distinctions among them. For instance, persons with disabilities are not represented evenly across the genders, age groups and types and severities of disability. Given that a targeting framework sophisticated enough to address the

[42] HALS 1986.

> "High turnover in public and private sector staff positions responsible for employment equity disrupts continuity and works against the effectiveness of these initiatives."
> A service provider

diversity among people with disabilities would be unwieldy and probably impossible to implement, the only alternative is to increase the target level. If targets were set simply with the objective of equalizing the labour force participation rates of people with and without disabilities, employers would not likely be able to meet such targets without employing those in the most underemployed groups, which would include: women; those with moderate and severe disabilities; and those aged 55 and over.

Another problem with the targeting framework is the determination of who should be counted as disabled. The current requirement in workforce surveys for employment equity purposes under the federally legislated program is to count only those persons who have a long-lasting impairment, who perceive persistent employment-related disadvantage, and who self-identify as having a disability.

Disability groups hold that self-identification is critical to ensure that employers do not count persons who do not have real disadvantages. Employers argue that not all persons who have disabilities want to self-identify. Moreover, when employers make appropriate accommodations, persons may no longer see themselves as disadvantaged, and will therefore no longer self-identify.

Both perspectives have validity. It should be remembered, however, that the conflict between these perspectives occurs largely within the context of the very low target rates for labour force participation that have been established. These rates are perhaps only half as high as they could and should be. If the rates were allowed to rise to their fair level, a greater variety of counting methods might be acceptable to both sides in the debate, as long as there were basic criteria for counting and monitoring procedures to ensure the ongoing validity of the counting process.

A wide range of factors, then, place individuals at greater or lesser risk of being disadvantaged in the labour market. Legislated and policy measures to promote employment equity have been established to deal with this problem. Yet the goal of employment equity has not been achieved. In fact, progress has been marginal and has tended to be noticeable only in some occupational categories. Where greater equity has been achieved, it has often occurred by segregating the people affected by employment equity programs in sheltered work settings, effectively excluding them from mainstream jobs.

"Targets are okay. But disability shouldn't be the main reason why you're hired. This is degrading and confusing."
A consumer advocate

Progress towards employment equity is hampered by a number of problems. As with the duty to accommodate, society has imposed major responsibilities on employers while failing to provide the incentives and supports employers need to achieve equity goals. Employment equity has targeted only a small proportion of employers, and therefore applies to only a small segment of the Canadian labour force. Perhaps most important, the present employment equity framework is not mandatory. It requires little of employers. The participation target levels are low. Reporting procedures are weak, and responsibility for ensuring employer compliance is ill-defined.

However, if the employment equity framework has fallen short of its goal, it is questionable whether even the limited gains that have been made to date would have been made if the present framework were not in place. It is also doubtful whether issues around disability and employment would have received as much public or political attention as they have.

CHAPTER 5.

SUPPORTS FOR PARTICIPATION IN EDUCATION, TRAINING AND EMPLOYMENT

As we have seen (Chapter 1), the presence or absence of a variety of supports can significantly affect the participation of people with disabilities in training and work. Common supports fall into five general categories:

- personal supports;
- rehabilitation services;
- aids and devices;
- environmental adaptations to the work/training site; and
- transportation.

PERSONAL SUPPORTS

Provisions for delivery of personal supports

Many people with disabilities require personal support in order to participate in training or employment. They may need assistance to carry out work- or training-related tasks; they may require support at home, or transportation to and from training or work. As with most people, they may also require emotional support and encouragement from family and friends.

Personal supports are often provided informally by family members or friends. However, formally organized services can be obtained (frequently as disability benefits) under some income support or replacement programs.

> "Perhaps a national income program for medications and disability-related equipment is in order, so people can get a break."
> A consumer advocate

Of the 967,000 working-age persons who require some personal support with daily living, only 33.3 per cent are receiving adequate levels. Few people requiring personal care support[43] and receiving only informal support or receiving no support are employed.[44] Individuals who use formal supports in personal care tend to participate more in the labour force; in addition, fewer consider themselves completely prevented from working. The same pattern holds among people who require support in one or more areas of daily living activity.[45] (Tables 20 and 21)

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[43] Personal care is defined here as washing, grooming, eating or dressing.

[44] These findings are controlled for the severity of individuals' disabilities and their ages.

[45] These areas of activity include meal preparation, shopping, plus daily housework and heavy chores, personal financial management, personal care, and mobility within the personal residence, transportation, etc.

[46] Attendant services are also sometimes called independent living services. See The Neil Squire Foundation, *Attendant Services in Canada: A Consumer Perspective* (Vancouver, 1991), for a good description of how these services are organized in the various provinces/territories and issues that have been identified around their supply and use.

[47] This does not necessarily mean, however, that the person providing this kind of support needs to be physically present with the individual requiring the service at all moments of the day. The attendant's time could be scheduled so that personal contact takes place at times

Attendant[46] and homemaker services

Attendants provide supports related to personal care (bathing, eating, bowel and bladder care), and related to mobility, body movement and transportation. Both homemakers and attendants might assist with household chores and maintenance (making meals, cleaning), shopping and banking. For individuals requiring personal services for eating, personal hygiene, mobility or body movement, or transportation, those services often need to be available at home, in transit, or at the training site or workplace.[47]

The three major federal-provincial arrangements used to fund attendant/homemaker services are the Canada Assistance Plan, the Vocational Rehabilitation of Disabled Persons Agreements and the Extended Health Care Services Program of the federal Established Programs Financing (EPF) Arrangement.[48] Most provincial/territorial governments contract community agencies to deliver these services to the agencies' clients. In some cases, individuals are provided direct funding to purchase these services. Attendant/homemaker services are usually provided on the condition that they be used exclusively in the home for home-related purposes.

Attendant/homemaker services are also funded under the Canada/Quebec Pension Plan, and under some private disability insurance and provincial auto insurance programs. Generally, services funded under C/QPP are made available only to individuals identified as unable to work, not for individuals working, in training or in education.[49]

Personal supports in training and education

Personal supports for education, training and employment assist individuals to develop job-related skills, participate in education or training, and carry out work tasks. Supports can assist in job and social skill development, task management, time management, or with other work-related needs.

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when it is most needed. Some individuals, however, need the independent living support to be close at hand and available on an as-needed basis throughout the day.

[48] Under this arrangement, the federal government shares the costs of health services and post-secondary education with the provinces and territories. For a discussion of the specific arrangements within the Canada Assistance Plan and the Extended Health Care Services Program as they relate to funding of support services for persons with disabilities, see The G. Allan Roeher Institute, *Poor Places: Disability-Related Residential and Support Services* (Downsview, 1990). See also The Roeher Institute, *Nothing Personal: The Need for Personal Supports in Canada* (North York, 1993).

[49] Some experimentation is currently taking place within the CPP system to enable some individuals to take advantage of career training programs so they can re-enter the labour force. Whether CPP will make support services available to these individuals on an ongoing basis upon their return to the labour force remains to be

seen. Other programs for delivering personal services have also been established. For example, in 1989 Treasury Board announced that it would "cover the cost of attendant services arranged on a contract-for-services basis" for employees in the federal public service (Canada, Treasury Board of Canada, "Provision of Services for Employees with Disabilities," *Personnel Management Manual*, Vol. 4, Chapter 16).

Paid personal support for employment and training is cost-shared under the welfare services and work activity provisions of the Canada Assistance Plan, and under the VRDP Agreements for eligible clients. The provinces/territories fund many other initiatives. Funding is also available under certain CJS/LFDS provisions.

Provincial vocational rehabilitation services cost-shared under the VRDP Agreements could fund the provision of personal supports for up to two years during training, up to three years for employment, and during a vocational crisis in training or on the job. Individuals requiring such services on an ongoing basis, however, would not normally be eligible. Support is usually delivered through sheltered training and employment or supported training and employment.

Sheltered training and employment programs deliver paid personal support through agencies that run facilities offering life skills, social skills and vocational training, or sheltered employment. These programs are funded through provincial governments under welfare services and work activity provisions of the Canada Assistance Plan and under VRDP.

"There is tremendous fragmentation of services, and very little information on where to go for services. The average person with disabilities doesn't have a clue where to start." An advocate

Some vocational and community colleges also provide sheltered programs for adults with a mental handicap or with visual, hearing or mobility limitations. The provinces may fund such programs or provide them for a fee to vocational rehabilitation clients funded through VRDP cost-sharing.

Based on the effectiveness of on-the-job training in mainstream employment, supported employment programs combine personal supports with on-the-job training or work experience. Therefore, these programs attempt to address the problem of segregating people with disabilities inherent in the sheltered training and employment model. Supported employment is used most extensively for persons labelled as mentally handicapped.

Some sheltered workshops have obtained funding for supported employment through provincial programs cost-shared (in full or in part) under VRDP or CAP. The workshop staff then "transition" the workshop to supported employment in the mainstream labour market. (When CAP funding is used for this purpose, it is done outside CAP guidelines.)

A few programs have been developed at colleges and universities to provide personal supports to persons with a mental handicap to integrate them into mainstream educational programs. Through funding from the Alberta government, for example, the On-Campus program at the University of Alberta provides personal supports for persons with a mental handicap in the educational and social life of the university.

Communication supports

Individuals may require communication supports for training, education or work. For example, deaf or hard-of-hearing persons may require interpreters; people who are both deaf and blind may require intervenors; and others may require note-takers during class or when they are absent from class for rehabilitation or therapy.

Communication support services are funded in part under VRDP and are delivered through vocational rehabilitation programs at the provincial/territorial level. In addition, some provincial special-needs allocations to universities and colleges enable delivery of communication support services in educational settings. The services are often arranged through special-needs counsellors attached to community colleges and universities. Provincial/territorial vocational rehabilitation counsellors and community organizations catering to the needs of persons with particular disabilities provide information on communication support services to persons applying for funding to attend college or university.

> "It's important to have access to a one-on-one support, like a job coach, so you don't have to keep asking the boss for help in understanding the job. Most people would rather be able to ask a coach than to have to keep 'pestering' the boss."
>
> A consumer advocate

Informal supports

Friends and family members can play a critical role in enabling persons with disabilities to participate in training and employment. They can provide encouragement, set high expectations, provide advocacy in getting supports and services, and assist individuals in gaining access to necessary information. Friends and family members may also help them network with people in industry or the business community, which opens up possibilities to be hired through these contacts. As for all job seekers, making informal contacts with others in the community is an important way of learning about job opportunities and of making initial contact with people who are in a position to hire.

The degree of involvement with informal support networks seems to have an important bearing on labour force participation. Individuals who are able to leave their homes and visit family or friends in the community are much more likely to be employed than persons who cannot. They are also much less likely to consider themselves completely prevented from working. (Table 22) Even simple telephone contact with family or friends seems significant. Persons without hearing or speaking disabilities who do not talk to family or friends during a typical week are less likely than others to be employed. They are also more likely to consider themselves completely prevented from working because of their condition.

There is little funding to develop informal personal supports, although governments do make small contributions and grants to community organizations to perform such functions as Citizen Advocacy, where community agencies assist persons in developing long-term personal relationships. However, the development of informal personal supports is gaining government and policy recognition. Ontario has introduced legislation to make advocacy services available to persons considered vulnerable by virtue of their disability, and advocacy programs with this objective have been funded through other channels. Personal networking initiatives, such as those organized by mental-health consumers, have also received government funding.

Issues in the provision of personal support

Nearly one million working-age persons with disabilities require personal support in daily living activities. Of these, fewer than one-third are employed (29.2 per cent). Very few (1.6 per cent) receive assistance from someone on the job. (Table 23) Of those requiring daily-living support and receiving help at work, more than half are in sheltered settings.

Funding for paid personal supports to assist with job tasks in the mainstream labour force is discretionary rather than the result of a policy framework to ensure access according to need. It is often available only as short-term funding under VRDP and CJS arrangements.

Similarly, individuals might qualify for paid personal support services like attendant care only if provincial/territorial social service departments identify them as *unemployable*. This leaves persons who need support services on the job or in training, or their employers, to cover the costs of the services, architectural changes and other adaptations through private means.[50]

Workplace and educational or training programs do not commonly provide personal supports, to a large extent because of the perceived costs and accommodations involved. Educational institutions and school districts have been reluctant to include students with disabilities because of the perceived cost to the educational system.[51] Accordingly, support services are available to comparatively few students, and are often tied to special and segregated programming, which is usually of questionable educational and job-training value.

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[50] See Chapter 8 for further discussion of issues concerning access to supports and income security programs.

The majority of individuals with disabilities participating in post-secondary education require little support with daily living activities. That is because persons in need of support are less likely than others to have access to post-secondary education in the first place. However, individuals whose personal support needs are met are as likely — or even more likely — to be represented in the post-secondary student population as they are in the population generally.

In particularly short supply at the post-secondary level is one-to-one tutorial support and interpreter services. This shortage tends to jeopardize participation in training courses and completion of assignments. Counselling and support for people with psychological disabilities or with a mental handicap is also in limited supply.

Personal supports attached to segregated work or training sites discourage individuals from making the transition to the mainstream labour market, as they would lose these needed supports. Therefore, many people have no viable alternative to spending years in segregated, and often humiliating, work situations in which they are paid less than $500 a year.

> "People can make a good income. But they can only do so on a part-time basis before being cut off pension and medical insurance, at which point they have to bear the whole cost of attendant care. There is simply more money staying on pension than going to work. Even well qualified people have little discretionary income."
>
> A consumer advocate

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[51] For a discussion of this issue as it concerns the public school system, see The Roeher Institute, *How It Happens: A Look at Inclusive Educational Programming around Children and Youth with Disabilities in Canada* (Health and Welfare Canada, 1992).

[52] Habilitation services can be distinguished from rehabilitation services in reference to the onset of disability. Rehabilitation services can be defined as services to assist persons to *regain* functional capacities lost due to disability (e.g., learning how to walk during recovery from an auto accident), or services to assist individuals *to adapt* to the loss of previous capacities. Habilitation services are provided to assist individuals to *develop* skills they might not have acquired in the first place. The teaching of sign language or lip reading to persons born with a hearing difficulty is an example of habilitation. The term rehabilitation services is used in this report to encompass both habilitation and rehabilitation services.

REHABILITATION SERVICES

Provisions for delivery of rehabilitation services

In order to participate in employment, people with disabilities may require rehabilitation services[52] such as speech therapy, occupational therapy and physiotherapy. They may need rehabilitation for alcohol or substance abuse, or drug therapies for psychiatric disabilities. While rehabilitation services have been criticized for their ineffectiveness, individuals who use these services are generally more likely than other people with disabilities to be employed.[53] (Table 24) Moreover, when employees become disabled, the sooner the rehabilitation process begins the more likely they are to remain on the job or return to the workforce.[54]

Persons with hearing disabilities who are unable to sign or lip read may require rehabilitation services to acquire those skills. Where the need for these skills is not adequately addressed, individuals are much less likely to be employed or in the labour force than individuals who have these skills. (Table 25) Of 417,000 working-age persons with hearing difficulties, some 13,000 people indicate a need for sign or lip reading skills; only 33.3 per cent of this latter group of persons are employed. Of more than 80,000 people who face difficulties conversing with people other than family and friends, only 27.2 per cent are employed.

> "Vocational Rehabilitation provides funding for assistance like note takers at college. But you have to be tested in order to be identified as having a learning disability, and the testing process is completely bogged down. It can take three months simply to have the paper work processed that will enable you to get tested. Then you go to the end of the queue to actually get tested."
>
> An advocate

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53 Rehabilitation services are here defined as physiotherapy, occupational therapy, speech therapy, or some other therapeutic service. They do not include services provided by physicians, nurses, chiropractors, dieticians, radiologists, psychologists, opticians, dentists, or x-ray or lab specialists.

54 See, for example, Dr. Lyle Gross, "Preventing Chronicity through Compilation of a Patient Profile," *Stopwatch: Canadian Association for Vocational Evaluation and Work Adjustment Bulletin* (January 1991).

Rehabilitation services are funded through: provincial/territorial health insurance (cost-shared under the federal-provincial fiscal arrangements regulated under the *Canada Health Act* and the *Federal Post-Secondary Education and Health Contributions Act*); the Canada Assistance Plan; VRDP; Workers' Compensation; public and private auto insurance plans; and private insurance and disability plans.

Rehabilitation services are delivered by public and private sector for-profit and non-profit service providers in hospitals, outpatient clinics, individuals' homes, residential care facilities and other institutional settings. The bulk of investment in rehabilitation and support services to people with mental illness and psychiatric disabilities still tends to be channelled to institutionalized services — 66 to 92 per cent, depending on the province.[55]

Issues in the delivery of rehabilitation services

Rehabilitation services tend to be concentrated in larger urban centres and therefore not available to many unless individuals relocate, disrupting their training or employment. Persons who have recently used rehabilitation services tend to be a particularly mobile group, suggesting that service users may move to large metropolitan centres to obtain services, and then back to their home towns after using them.

> "The lack of available support services in rural areas is an important reason why many individuals migrate to the cities."
> A service provider

Ultimately, however, it does not much matter where individuals reside. In rural areas, 92 per cent of adults with disabilities have not used rehabilitation services in the past three months. In smaller urban centres, 88.4 per cent have not done so. Neither have 86.4 per cent of those in large urban centres. These services are simply not being widely utilized, regardless of region or severity of disability. This suggests extremely limited availability, which in turn indicates that there are significant problems with supply of these services.

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[55] See, for example, John Trainor and Kathryn Church, *A Framework for Support for People with Severe Mental Disabilities* (Toronto: Canadian Mental Health Association, December 1984); Robert Graham, *Report of the Provincial Community Mental Health Committee* (Toronto: Ontario Ministry of Health, 1988).

For persons with psychiatric disabilities, institutional delivery systems for rehabilitation services create significant problems. The trend to move people with psychiatric disabilities out of institutional facilities and into the community has not been successful for many individuals because of a lack of community supports and services, and affordable, quality housing.[56] Because of a continued, significant investment in institutional systems, funding has not been available for community supports that could enable people to participate in community-based training and competitive employment.

The delivery of rehabilitation services poses other problems. Drug therapies, which are commonly applied to people with psychiatric conditions, can have a range of side effects. Some rehabilitation specialists believe that these side effects preclude alternative rehabilitation strategies. Therefore, some specialists do not make alternatives available to clients as often as they could. As well, many employers and trainers find that psychotropic medications make persons unable to hold jobs or participate effectively in training. Therefore, medication therapy can impede or prevent re-integration in the labour force. Indeed, the more frequently those with psychiatric disabilities use prescription drugs, the less likely they are to be active in the labour force.[57]

Services such as physiotherapy are limited — to 10 visits per year on some disability programs — yet participation in training and employment may well require more visits, which would have to be paid for privately. This is, of course, difficult or impossible for people with low earnings or fixed incomes. The lack of individualized service responsiveness, therefore, systematically excludes some from training and labour force participation, and leaves others vulnerable to disruptions that can jeopardize jobs or training.

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[56] See Bonnie Pape and Kathryn Church, *Community Reinvestment* (Toronto: Canadian Mental Health Association, 1987).

[57] According to HALS 1986, 39 per cent of those whose disability is in the mental health/cognitive domain and who do not use prescription medications are employed, and 11.3 per cent are actively looking for jobs. Only 25.2 per cent of those using one or two prescribed medications daily hold jobs and 6.6 per cent are looking for work. Only 16 per cent of those using three or more prescription drugs daily have jobs, and only 4.5 per cent are actively looking for work.

For persons who have sustained disabling injuries on the job, prompt access to effective rehabilitation is key to continued employment or re-employment. Yet programs such as Workers' Compensation have been criticized for failing to arrange or deliver effective rehabilitation services promptly.[58]

AIDS AND DEVICES

Provisions for delivery of aids and devices

A variety of aids and devices are used by persons with disabilities to enable them to participate in training and employment. Work-related aids and devices include: mobility and agility aids; aids for persons with visual impairments; communication devices for persons with speech and hearing impairments; signalling systems for persons who are deaf or hard of hearing; and reading and writing aids and adaptive equipment to activate computers by eye, hand or head controls. Persons with disabilities may also require aids, devices and supplies to meet medical and other disability-related needs. These may include drugs and medications, diabetic equipment and supplies, incontinence and ostomy supplies, and respiratory equipment.

The adequate supply of aids and devices can have an important bearing on whether individuals will be labour force participants. For example, 42.2 per cent of persons with disabilities who do not require aids or devices are employed. Of persons who use aids or devices, and whose needs are being adequately met, 36.2 per cent are employed. Of those who require more aids or devices than what they are receiving, only 31.6 per cent are employed.

Generally, Canadians with disabilities who require aids or devices related to hearing, seeing, mobility or flexibility are reasonably able to secure the items needed. Of the 472,000 persons who require these aids or devices, 74.7 per cent indicate that they

[58] Terence G. Ison, *Workers' Compensation in Canada*, 2nd edition (Toronto: Butterworths, 1989), p. 148.

do not require more than they are currently using. Of the 120,000 who do require more of these aids, 43,000 use at least some of them.[59] This leaves more than 76,000 persons who require but are not using any aids or devices.

> "People with visual and hearing impairments can really require assistive devices. A reading machine that costs $6000 took five months of effort to acquire. It then stayed with the employer when the employee left." A consumer advocate

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Funding and direct provision of aids and devices occurs through: provincial health insurance systems; cost-sharing arrangements under the Canada Assistance Plan; cost-sharing under VRDP; Workers' Compensation Boards; public and private auto insurance plans; C/QPP; and private disability insurance and pension arrangements.[60] Delivery of numerous aids, devices and medications takes place at the provincial/territorial level, with one exception. EIC provides up to $10,000 per person for the purchase of equipment or for adaptations to training or work sites. Participants in most CJS/LFDS training or wage subsidy programs who require such items are eligible in principle, although not all actually obtain the devices. Charitable foundations are another major source of financial assistance and aids/devices loan banks.

The mechanisms to deliver aids, devices, supplies and medications and the eligibility criteria that enable funding vary from jurisdiction to jurisdiction. Moreover, several systems may deliver some aids, devices and supplies, while differing funding and delivery systems and eligibility criteria may be in place for other items. For example, should individuals need speech/hearing aids or diabetic supplies or mobility-related items, they may have to deal with a number of systems with different eligibility criteria and financial-assistance requirements.

[59] The 1986 HALS survey does not have data on the need for, and provision of, a range of other aids and devices, however. Among these would be prosthetic and orthotic devices, ostomy supplies, aids to breathing, and communication devices.

[60] See *Nothing Personal, supra* Note 48, for a detailed analysis of funding and delivery arrangements for aids, devices and support services for persons with disabilities.

Issues in the delivery of aids and devices

Aids and devices are more available than other supports and services, yet significant problems remain. Depending on the disability, between 20 and 40 per cent of employed persons require additional aids and devices to deal with mobility/agility, hearing, or visual impairments. Generally, people seeking jobs who need these items are more likely (37.3 per cent) than are employed persons (22.9 per cent) to require more than they are receiving.

Delays in receiving and repairing aids and devices have exacerbated availability problems. So have programs that require individuals to leave publicly subsidized aids and devices behind when they leave one employer for another or for further training. Delays in obtaining aids may also jeopardize starting dates for training programs and employment.

In addition, the terms and conditions by which aids and devices are delivered to people attached to the income security system present major barriers to their participation in the labour force (see Chapter 8 for discussion of these terms and conditions).

ENVIRONMENTAL ACCOMMODATIONS

Provisions for enabling environmental accommodations

There is an increasing awareness among employers and training and educational institutions about the types of accommodations required for people with physical disabilities related to mobility, agility or sensory impairments. The more common types of accommodations include: installation of ramps and rearrangement of internal spaces and furniture for wheelchair accessibility; provision of specialized equipment and adaptations to existing equipment for persons with sensory, agility or mobility impairments; and provision of attendant services on the job or training site.

Persons with intellectual impairments, psychiatric disabilities[61]

[61] For an overview discussion of accommodation in employment for persons with psychiatric disabilities see Laura Mancuso, "Reasonable Accommodation for Workers with Psychiatric Disabilities," *Psychosocial Rehabilitation Journal*, Vol. 14, No. 2 (October 1990), pp. 3-19.

or learning disabilities, as well as those with some physical or sensory disabilities, may require additional accommodations such as: job modification or restructuring; provision of support persons to assist with their on-the-job training; transportation; support to carry out work tasks; modification of scheduling; and provision of information and technical manuals to assist individuals to carry out their work tasks.

> **Administrative accessibility exists in educational institutions. In theory, people can get in. But physical accessibility is generally the pits for people with mobility problems."**
> **A consumer advocate**

It is difficult to show precisely the degree to which individuals are kept out of the labour force or are underemployed because of inadequate environmental modifications. Only 7.3 per cent of employed persons who require assistance with personal care "get help from someone" at work; only 8.6 per cent of those who require architectural changes or special parking arrangements have these available to them in the workplace. Only 3.9 per cent of workers who use or require aids or devices have special equipment available to them on the job. Only 2.5 per cent of those who participate frequently in rehabilitation services (11 or more times over three months) get modified hours or days on the job. It seems reasonable to assume that such lack of accommodation keeps many individuals out of the workplace and affects the labour market mobility of many who do have jobs.

Incentives for providing accommodations

There are three types of incentives for employers and educational and training institutions to make environmental accommodations: regulatory requirements; information and consultancy; and financial assistance.

Regulatory requirements

Despite the potential for human rights tribunals or boards of inquiry to impose orders, in practice employers are not usually required to make workplace accommodations outside of building code requirements. Legislation such as national and provincial Building Codes establish standards for accessibility to most public places and places of employment. The Canadian Standards Association has released a comprehensive set of accessibility standards for the physical design of buildings.[62] Provincial governments also have code-enforcement systems.

Individuals may come to a training, education or work site with personal supports, aids and devices, or rehabilitation services. As a result, the employer may merely need to "accommodate the accommodations." A number of federal and provincial employment equity programs make technical aids and devices available to government departments and agencies on an as-needed basis to accommodate their employees' disabilities.

Information and consultancy

No single delivery system has been organized to provide information and consultancy services to assist employers in making accommodations, nor is there a single funding arrangement to ensure these services are available in all communities and provinces/territories. However, the Job Accommodation Network (JAN) provides information free of charge to anyone interested in providing or developing an accommodation for an employee with a disability. EIC has arranged for this service, which is based in the United States, to be accessible by telephone to Canadian employers. JAN provides case histories of employers who have successfully accommodated persons with disabilities, as well as information on specific types of accommodations.

> "Sometimes the attitude of the employer is 'This place isn't accessible, so I can't hire.' "
> An advocate

EIC also provides regional employment equity consultants to assist employers to meet their requirements under federal employment equity legislation. However, in most regions there are only one or two consultants dealing with disability and accommodation.

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[62] Barrier Free Design (CSA B651).

Employers covered by employment equity legislation often rely on their corporate human resource departments for information and consultancy on accessibility and accommodations. These employment equity professionals have begun to share information and ideas regionally and nationally.

> "It should not be exclusively up to the individual who has a disability to sensitize managers by continually having to say, 'Oh, by the way, it would help if I had such and such.' Consumer organizations could do more of this, as could government."
> A consumer advocate

Some large and small employers use the expertise of disability organizations (e.g., the Canadian National Institute for the Blind, the Canadian Paraplegic Association, Associations for Community Living). These organizations provide advice — usually free of charge — and consultancy to employers when contracted for on-the-job support to individuals or during on-the-job training. Some provincial- and regional-level agencies provide similar support.[63]

Workers' Compensation Boards also provide employers with expertise around ergonomics, task and job design, and other forms of workplace accommodation. Consultancy is either free of charge or through fee-for-service contracts.

Financial assistance

There are four principal funding sources for making environmental accommodations: CJS/LFDS; VRDP; Workers' Compensation; and other special-initiatives funding. Most CJS/LFDS programs provide up to $10,000 per individual with a disability who qualifies for

[63] Examples include the Atlantic Provinces Special Education Authority and the Ontario Ministry of Labour Centre for Work and Disability.

CJS/LFDS training. These dollars are for making accommodations to the work or training site, such as purchasing technical equipment (e.g., optical readers, assistive devices and adapted computer technologies), and adapting the physical environment (e.g., installing ramps or special doorways). Occasionally, once training is complete, individuals have been able to take the equipment to another job. However, this flexibility depends on the inclination of EIC personnel in local Canada Employment Centres (CECs). In a very few instances, EIC accommodation funding has been used to purchase personal supports (e.g., attendants and interpreters) in the workplace and on training sites. In using these accommodation dollars, CEC officials must make a difficult decision: do they spend the dollars on inexpensive accommodations for many individuals or on a few individuals who require more expensive accommodations?

Through vocational rehabilitation services cost-shared under the VRDP Agreement, funding may be made available as part of an approved training plan to make needed work-related modifications to individuals' homes, vehicles and training sites or work sites, and for the purchase of needed equipment. In some provinces, individuals who are employed and therefore not eligible for rehabilitation or training-program funding may nonetheless be eligible for cost-shared accommodations under VRDP. VRDP provides 50 per cent of the cost; the employer or employee provides the other 50 per cent. Workers' Compensation funds can also be used by employers to make accommodations needed to employ or re-employ WCB clients.

Some provincial governments have established special financial incentives for universities and colleges to make their campuses more accessible to people with disabilities. However, there is some concern that funds are being used primarily to renovate older campus buildings and only minimally to ensure accessibility for persons with disabilities. The federal government and some provincial governments have also established funds to make government buildings, such as employment counselling offices, more accessible and barrier free.

> "The work day could be broken up into manageable segments in order to accommodate individuals who have problems fitting into the nine to five pattern. People could work at home, using computer accommodations. They do not absolutely need to be tied to the office or plant."
>
> A consumer advocate

Issues in making environmental accommodations

Governments have made general commitments to barrier-free design and accessibility in training sites and the workplace. However, funding allocations are insufficient to fulfill the need for retrofit and adaptation even though these costs are only a small proportion of total costs in new construction or renovation.[64] Of those who require architectural modifications at home, only 1.6 per cent are both employed and have needed modifications at work. Nearly half of these people are working in sheltered settings. Moreover, monitoring and enforcement mechanisms to achieve building code accessibility objectives are not in place.

The public investment in making the workplace adaptable does not come near the investment in residential accessibility. Under the Residential Rehabilitation Assistance Program (RRAP), forgivable long-term loans are provided to make living units accessible. In addition, the personal medical expenses tax credit covers costs associated with making a residential unit accessible. In contrast, the funding arrangements to facilitate adaptations to the workplace are piecemeal, uncoordinated and poorly publicized, creating confusion and discouraging employers from seeking access to those funds. Large companies have internal resources to deal with accommodation costs, but the bulk of hiring takes place in small enterprises, which need access to public dollars for accommodations. Otherwise, they are unlikely to hire individuals with disabilities who require modifications to the work environment.

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[64] See M. H. Rioux, "Labelled Disabled and Wanting to Work," in Royal Commission on Equality in Employment, *Research Studies of the Commission on Equality in Employment* (Ottawa, April 1985).

To add to the obscurity and confusion, funding can depend on whether or not the persons for whom the accommodations are intended are clients of a particular training or vocational rehabilitation program. If so, accommodation dollars may be earmarked for that person. However, persons who require ongoing support are least likely to qualify for most training and vocational rehabilitation. Therefore, accommodation funding on their behalf will not be available to employers.

> "Individuals have to find funding for their equipment needs. They have to persuade employers to find dollars or to donate time to cover equipment and architectural modifications."
> A consumer advocate

TRANSPORTATION SERVICES

Provisions for transportation services

Transportation services for people with disabilities include: regular public services; specialized door-to-door services; taxis; and private automobiles. Persons in situations where there are problems with the supply of, or access to, transportation services are at a disadvantage in the labour force: they are much less likely to be employed than persons without such impediments. The proportion of individuals facing such difficulties varies considerably across the country. (Table 26)

Public funding of transportation services (whether conventional or specialized door-to-door services) is usually shared by municipal and provincial governments, partially offset by customer fares. Private (for-profit) door-to-door transportation services are available to customers in larger cities on a fee-for-service basis. Some non-profit community agencies that provide residential or vocational services to people with disabilities also provide transportation services in the form of vans or buses to their clients. Taxis and private automobiles are paid for by users/owners or are contracted by agencies that provide residential or vocational supports to individuals. In addition, voluntary transportation services are provided by private citizens, who may ask users to contribute to fuel costs.

For individuals on social assistance, some provinces provide bus passes free-of-charge or for a small fee. In other areas, transportation allowances are provided only when welfare workers determine them to be necessary for health reasons or for employment-related activities. In Nova Scotia alone, transportation allowances have been incorporated into Family Benefits Allowances as a basic welfare entitlement. These transportation allowances do not cover private for-profit door-to-door services, taxis, or the full cost of operating a private automobile. Individuals must meet such costs privately.

The federal government, through Transport Canada, provides funding to provinces, municipal corporations and community organizations to operate transportation services in small urban and rural communities. Transport Canada provides up to 80 per cent of the purchase price of a vehicle equipped to transport people with disabilities. Since the announcement by the Prime Minister in September 1991 of a five-year Disability Strategy, Transport Canada is assisting providers of transportation, such as inter-city bus carriers, small air carriers and car rental agencies, to retrofit their fleets with lifts, hand controls and other modifications. In addition, some provinces give exemptions from provincial sales taxes when devices are purchased to adapt automobiles for use by individuals with disabilities.

> "Social Services said they don't supply transportation to the job, but I was later informed that Social Services *should* be paying for transportation. Individuals need to know their rights."
> A consumer advocate

Issues in the delivery of transportation services

Almost 40 per cent of persons in the labour force — almost 90 per cent in rural areas — are in situations where the availability or use of community transportation services is problematic. There is considerable demand for publicly funded, specialized door-to-door service. In fact, most cities cannot keep up with the demand.[65] This results in delays in, or refusal of, service and scheduling difficulties.

Efforts are being made to respond to increased demand, but it is not likely that government capital and operating funds will be adequate in the foreseeable future. Other options, including retrofitting conventional systems, are also costly. However, some municipalities, such as Vancouver, have adopted policies to purchase accessible surface-route buses.

> "There are jurisdictional disputes between municipalities. A variety of Handi-Dart systems exist. These don't serve all areas. A person in one municipality wanting to go to the next has to deal with the Handi-Dart in one area refusing to go to the next. So the person has to go to a drop-off point. But there are no disabled taxis in the next municipality, and so a friend or a voluntary service has to fill the gap ... so people are effectively shut in."
>
> A consumer advocate

Barriers to regular public transportation services are often physical: individuals may be unable to board trolleys or buses, get from their home to a bus stop, or use subway escalators. However, some barriers arise because transit information is not provided in a medium understood by persons who are blind, or who do not have literacy or numeracy skills. Emotional discomfort caused when individuals must confront crowds or the possibility of not finding a seat can also deter some from using community transportation services.

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[65] For a review of issues concerning demand for, and use of, transit services by people with disabilities, see Toronto Transit Commission, *Transit Services for Disabled and Elderly Persons: Choices for the Future* (Toronto, 1989).

In rural areas, public transportation services often do not exist. Individuals in these areas may be eligible to be served by community agencies providing transportation and other services to people with disabilities. But not all people are or want to be clients of such agencies. For people who do not receive transportation services, and who are not able to purchase or operate an automobile, gaining access to training and employment can present formidable problems.

For these people, there are few remaining transportation options. Private taxi services do not exist in all parts of the country; those that do are expensive. Private automobiles, although used by 69.9 per cent of employed persons with disabilities, may well be under-utilized,[66] in part because of the high cost of financing and operating vehicles.[67]

Because conventional public transportation is not accessible to many persons with disabilities, governments have put in place parallel, door-to-door transit systems. While these are useful, there is a lack of other options, such as retrofitted conventional systems or income supplements to enable individuals to purchase private options. This lack increases the demand for special services to allow individuals with disabilities to participate in jobs, training and community activities. As services become backlogged, transportation may have to be booked days in advance; even so it may not materialize in time to enable individuals to get to work or training on time. In addition, use of door-to-door services is often limited to individuals "unable to board," excluding those who are ambulatory but unable to use conventional transit.

> "Even if you are lucky enough to get a job interview, and the employer wants the interview immediately, it can take a week to 10 days before a Handi-Dart can arrange to pick you up to take you to the interview. A lot of good that does."
>
> A consumer advocate

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[66] For example, among employed persons who are enrolled in college, university or other post-secondary education, a high proportion (67.5 per cent) use private vehicles to go to and from classes. Among those not in the labour force and taking post-secondary courses, only 41.3 per cent use private vehicles to get to and from classes. Unfortunately, there are no HALS data on the general proportion of persons with disabilities who are using private vehicles as their principal source of transportation. The data on the proportions employed, unemployed and not in the labour force and using private vehicles to get to and from post-secondary courses, however, may be indicative of broader patterns.

[67] Credit arrangements for automobile purchases usually require that the automobile be relatively new, and therefore relatively expensive. For persons receiving a low wage or on fixed income through the income support system, qualifying for credit for a vehicle that satisfies these criteria is a problem.

GENERAL ISSUES CONCERNING SUPPORTS AND SERVICES

Limited response to individual need

Support needs are highly individual; however, response to individual requirements does not drive the funding and delivery of support services. Therefore, individuals may gain access to some supports and services that are delivered in ways or on conditions that prevent them from working or participating in training. For example, attendant services and other paid personal supports are often available only at times that do not coincide with hours of employment or training. The services are usually provided at home but not at work; or not in the municipality to which an individual must travel for work; or on a limited rather than ongoing basis. Such conditions, established under CAP, VRDP and provincial health insurance plans, force people to choose between obtaining needed personal support and training/employment.

The response of the funding and service system to increasing consumer demand is not to establish a principle of individual need as the primary criterion for access to needed supports, but to establish priorities for access. In transportation, for instance, persons in some regions who require transportation for emergencies or medical visits have first priority; second, those participating in employment; next, those participating in training or education; and, finally, those needing transportation for other reasons.

Similar priority systems limit the individualization of rehabilitation and support services. Publicly funded mental health support services in some regions consist solely of acute-care, hospital-based psychiatric services. Community services such as psychological counselling may not be publicly funded or delivered if available at all. Individuals have to pay for these preferred services privately and the costs can be prohibitive.

Restrictive eligibility criteria

Income support programs, especially C/QPP and disability-related welfare services cost-shared under CAP, generally require that persons designate themselves as *unemployable* in order to gain access to support services. Individuals must choose between trying to work without necessary supports or obtaining supports and remaining out of the labour force.

Support services under VRDP and CJS/LFDS funding arrangements are provided for only a limited period, jeopardizing individuals' ongoing training or job situation. Moreover, eligibility for supports attached to vocational rehabilitation services cost-shared under VRDP, or attached to participation in training purchased under CJS/LFDS, requires that individuals demonstrate potential to become "competitive" in employment, to be "independent," or to pursue "realistic vocational goals." Persons who have never had sufficient supports to participate in training and employment can hardly demonstrate the employability and competitiveness they have been ineligible to develop.

Programs such as Unemployment Insurance Sickness Benefits, Workers' Compensation and the Canada/Quebec Disability Pension, demand that individuals have an attachment to the labour force to qualify for goods and services, or for the income to purchase them. Those programs are then of little benefit to the hundreds of thousands of individuals who have never had such an attachment.

Other support services, provided under VRDP and many mental health services, are available only if individuals are in a state of crisis. In order to have access to mental health services, the individual in crisis may be required to enter an institutional delivery site. In addition, the individual may not qualify for anything other than crisis services. Therefore, access to any support service comes only with job loss or the immediate danger of it, a life in chaos, and a willingness to enter an institution.[68]

Another *de facto* eligibility requirement is that often individuals must participate in a sheltered training or employment setting in order to gain access to necessary supports. As waiting lists for

[68] The latter problem is discussed in Chapter 8 on income issues.

these settings are long and consumers often doubt that such arrangements will lead to a decent job and income, many are discouraged from using supports available on this basis.

It might be assumed that persons trading away participation in training and employment in order to have goods and services would have their support needs met through their income support system. This, however, is not the case. On average, 68.1 per cent of persons attached to income support systems require more daily-living assistance than they are receiving. Unfulfilled need for aids and devices is particularly evident among individuals on the C/QPP and social assistance income support systems. (Table 27)

Nor do persons who choose employment, foregoing support services and disability-related aids and devices financed through income support systems, necessarily have the means to purchase necessary supports. Most employed persons with disabilities are not high-income earners. Not surprisingly, individuals with higher earnings use fully organized personal support services; those with lower earnings are less able to afford them.

The need for information

Effective information services are also in short supply. Consumers indicate that access to services is hampered by inadequate information about their availability, restrictive funding arrangements and eligibility criteria, as well as inadequate appeal options if services are denied.

Indeed, the contradictory requirements of a variety of agencies need to be understood and navigated before individuals can hope to gain access to goods and services. The absence of a coherent and coordinated system can leave consumers confused and discouraged, unable to secure the goods and services that could support participation in the labour market.

In part, this is due to a lack of informed and effective support services to assist individuals to put together the goods and services they require. Counselling and coordination services are often attached to the social programs that make these goods and services available. While counsellors and caseworkers may understand their programs, they typically do not have a comprehensive knowledge of either the range of supports needed or relevant funding, goods and services provided by other programs in the complex — sometimes incomprehensible — funding and delivery systems. Moreover, the mandate of counsellors and caseworkers is confined to the programs to which they are attached. Consumer and community organizations that can play an important role in providing information are typically underfunded and backlogged.

Employment/training transitions and support service portability

Global labour market trends are demanding that workers engage in lifelong learning and training to adapt to changing technologies and labour demands. In addition, tomorrow's workers are likely to switch employers and occupations — for which they will need training — many times throughout their careers.

However, many individuals who require services and other supports to participate in training and employment will face serious obstacles to labour force participation. Thousands may continually be unable to obtain needed services and other supports, leaving them unable to participate in jobs, training or educational programs. Many others who do qualify for support services will continue to find these delivered only on the job or training site or at home, in one municipality, or in sheltered settings. Others may lose the social assistance benefits that enable access to such supports, or they may be unable to take publicly subsidized assistive devices from one job to the next.

This limited portability results in part from the way funding is delivered. Provincial/territorial programs cost-shared under CAP demand that individuals who require attendant or homemaker services be too disabled to work (i.e., *unemployable*). Therefore, what services there are can be delivered only in the home.

> "Programs that simply 'dump' individuals into employment or work experience without ensuring adequate follow-up support for individuals will fail."
> An advocate

Similarly, personal supports to assist during training are provided in sheltered work and training settings (funded under VRDP and CAP) and through sheltered community college programs. Funding allocations are tied to these facilities and programs; therefore, individuals requiring such supports must usually "tie" themselves as well. Even generic training programs rarely permit paid personal supports to be taken beyond the program or facility.

Accommodation funding under CJS/LFDS operates on much the same basis. Dollars are provided to purchase accommodations such as adapted computers for use in the workplace. When the individuals for whom ,the equipment was purchased seek another job or training program, there is no guarantee that the accommodation can move with them.[69] Present funding arrangements will likely continue to frustrate moves across work and training environments that individuals must make if they are to take advantage of career opportunities, respond to changes in the labour market, and manage changes in their personal situations.

Inequities in provision of supports

The extent to which paid supports and services are made available varies substantially across provinces/territories, due largely to regional disparities in wealth. Provinces with comparatively small tax bases are less able to afford to take advantage of possibilities for cost sharing under CAP and VRDP. Variations are also due in part to the lack of a national consensus on standards and types of support services to which people with disabilities are clearly entitled.

[69] Exceptions to this rule have been identified, but they do not seem to occur frequently.

In summary, people with disabilities require a variety of supports and services in order to participate in education, training and employment. The extent to which individuals' needs for support are properly met affects their ability to take full advantage of those opportunities.

However, if supports and services are funded and delivered through numerous programs and agencies, many individuals are not getting what they require. The funding commitment for the delivery of support services and aids/devices falls short of the levels of funding that are necessary. Restrictive eligibility criteria (such as the *competitively employable* and *unemployable* requirements) and caseworker discretion are used to bar many from gaining access to the disability-related services, aids and devices that are in place. Rehabilitation services remain concentrated in larger centres and are used by only the minority. And the ongoing investment in institution-based rehabilitation services precludes the development of other options in the community. Funding for workplace accommodations is limited, has not been widely advertised, and is fragmented across systems. The consultancy services to assist with making the workplace more accommodating are few and far between. While greater investments are beginning to be made in accessible transportation services, this commitment has not kept pace with demand. Neither has sufficient attention been focused on finding creative ways to enable people with disabilities to take advantage of private transportation options.

On a more general level, many of the services that are in place are not driven by individual need and consumer demand. They are generally not available on an equitable basis across the country. Nor are they portable across the many situations in which individuals with disabilities must participate to be effectively involved in the labour force. In principle, arrangements could be struck to provide supports in ways that would enable people with disabilities to participate in the labour market. However, on balance the present arrangements work at cross-purposes with that aim.

CHAPTER 6.

PARTICIPATION IN EDUCATION AND TRAINING

Disability organizations and governments have identified access to education and training opportunities as a key to labour force participation by people with disabilities. The amount of one's schooling affects participation in training, which in turn affects one's participation in the labour force and one's earnings and job status.

A distinction can be drawn between education and training. Job and vocational training consists of opportunities to develop knowledge and skills that carry over directly into the labour market. The explicit aim is usually to promote the trainee's employability and performance on the job. Educational programming consists of a much broader set of learning and skill development opportunities. While educational programs, such as many university degree programs, generally do enhance employability, they are not necessarily focused directly on achieving that aim.

Though job and vocational training and educational programming represent different kinds of learning and skill development opportunities, the arrangements and funding for delivering the programming, and the difficulties people with disabilities encounter, are similar in both cases. Therefore, education and training are examined together in this chapter.

"People are presented with the option of staying in training indefinitely, or going nowhere after training."
A consumer advocate

TRAINING, EDUCATION AND LABOUR FORCE PARTICIPATION

The rates of employment for persons with disabilities generally increase with educational attainment. However, persons with disabilities tend to have less education than persons without disabilities. And even with high levels of education, their employment rates are lower than those of persons without disabilities.

Table D. WORKING-AGE PERSONS WITH AND WITHOUT DISABILITIES: EDUCATIONAL ATTAINMENT AND LABOUR FORCE PARTICIPATION

NOT DISABLED		TOTAL	EMP.	UNEMP.	NILF	UNKN.
TOTAL	100.0	100.0	69.9	8.1	22.1	—
Prim. only	11.2	100.0	55.4	9.0	35.7	—
Some hi. sch.	26.9	100.0	56.5	9.0	34.5	—
Hi. sch. grad.	14.0	100.0	69.3	8.9	21.8	—
Trades cert.	10.8	100.0	82.3	7.4	10.3	—
Some post-sec.	12.2	100.0	74.9	9.6	15.5	—
Post-sec. cert./dipl.	14.2	100.0	80.4	6.9	12.7	—
University degree	10.8	100.0	87.0	4.1	8.9	—
		15,231,000				
DISABLED		**TOTAL**	**EMP.**	**UNEMP.**	**NILF**	**UNKN.**
TOTAL	100.0	100.0	40.3	7.3	50.7	1.8
Prim. only	28.9	100.0	22.3	5.7	70.2	1.8
Some hi. sch.	27.8	100.0	39.4	7.8	51.3	1.5
Hi. sch. grad.	9.4	100.0	43.8	9.0	42.9	4.3
Trades cert.	10.3	100.0	52.4	9.0	36.6	2.0
Some post-sec.	8.6	100.0	50.0	8.0	40.4	1.5
Post-sec. cert./dipl	9.9	100.0	58.9	6.5	33.8	0.8
University degree	5.2	100.0	62.3	7.0	30.3	0.5
		1,768,000				

While comparatively few people who become disabled before completing their education obtain trades certification (8.8 per cent), 69.1 per cent are employed. Therefore, greater opportunities for people with disabilities to acquire trades certification would seem to make sense. (Table 28)

Comparatively few persons with disabilities, with high school or less education, have participated in training. Yet individuals who take part in training are more likely to find and retain employment, particularly in the mainstream labour market rather than sheltered work. (Table 29)

Persons who have received training are more likely than others to have earnings of $30,000 and over. (Table 30) However, persons with disabilities generally make larger gains in earnings over time than immediately after training. This suggests that earnings are also affected by workplace factors other than training: work experience, opportunities for advancement and benefit packages.

Many factors, such as gender and access to supports to labour force participation, affect the kinds of jobs people get. However, it does seem that persons doing professional, semi-professional/technical and semi-skilled work are most likely to have participated in training. (Table 31) It may be that these people have more opportunities — or encouragement — to take training *because* of their jobs. No doubt many, however, get their jobs as a result of training.

"A critical link is the transition from school. There are no good mechanisms here. There are very few transitional workers. It is conducted as an informal part of the education system, but tends to be driven by a few enthusiastic teachers."
A consumer advocate

Those disabled before completing formal education and who have taken part in training are much more likely than others with disabilities to be concentrated in middle management, semi-professional, technical and supervisory jobs. A large number of persons who have trained, however, have clerical jobs. (Table 32)

Low levels of participation in training and education

In 1985-86, 6.3 per cent of the general adult population attended university or community-college training programs;[70] however, only 2.3 per cent of working-age adults with disabilities were in attendance. In 1986, 46.1 per cent of Canadians aged 15 to 24 were attending school, but only 26.2 per cent of persons with disabilities in this age group were in school.[71] People with disabilities are significantly under-represented among those with trades certification, particularly if they have some form of activity limitation.

As of September 1989, only 2.1 per cent of participants in all EIC training programs had disabilities. The Job Development program, in which people with disabilities were best represented, saw a participation level of 6 per cent. Only 3.2 per cent of Job Entry participants had disabilities. People with disabilities represented only .003 per cent of all participants in more technically oriented programs, such as Skill Shortages.[72]

> "A lot of people with disabilities can't read. As a result, they do not know where there is a job opening."
> A consumer advocate

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[70] Participation rates for the general population were obtained from Statistics Canada, *Education in Canada: A Statistical Review for 1985-86* (Ottawa, July 1987), p. 70.

[71] Data for general levels of participation in university, college, and schools were obtained from Statistics Canada's Labour Force Surveys for December 1986.

[72] EIC, *1988-89 Year-End Expenditures and Participants*, September 1, 1989.

POLICY FRAMEWORK FOR THE PURCHASE OF TRAINING

Governments in Canada purchase education and vocational training to enable the development of a skilled labour force. These training programs generally include:

1. **pre-employment** and **pre-apprenticeship training**, providing entry-level skills (usually for 30 to 52 weeks);
2. **apprenticeship training**, providing specific skills in electrical, electronics, welding, carpentry, etc.;
3. **adult basic education** and **upgrading**, providing basic reading, writing and mathematics skills to prepare for higher level training or secondary school completion;
4. **language training** programs for proficiency, usually in English or French; language training in mother tongues enables Aboriginal peoples and ethnic minorities to maintain their languages within the dominant English and French labour market;
5. **skill upgrading** to develop skills to deal with changing technologies or to upgrade qualifications;
6. **job-readiness training**, providing those particularly disadvantaged in the labour force with training in life skills, social skills, job search and interview skills, and basic vocational skills;
7. **academic, professional and technical training** relating to the industrial, manufacturing, and service sectors.

Training is sponsored and delivered by government agencies, employers and groups of employers within industries, public and private post-secondary and vocational training institutes, and community-based organizations, including disability organizations.

There are three models for delivering training: on-the-job training; off-the-job academic, upgrading, or vocational training; and a mix of the two. In 1989-90 the federal government's expenditures on education and training (excluding tax transfers) reached $7 billion, and has increased an average of 7.4 per cent annually since 1982-83.[73] Provincial governments also spend substantial amounts on education and training. The following summarizes how key government arrangements relate to persons with disabilities.

1. Employment and Immigration Canada's Canadian Jobs Strategy/Labour Force Development Strategy (CJS/LFDS) and its associated agreements between the federal government and the provinces and territories finance project-based training and wage-reimbursement programs. Recent program changes have extended the eligibility period for EIC clients from one to three years. In addition, participants no longer need Grade 7 education or higher to be eligible for training. These changes could make it easier for individuals with disabilities to participate.
2. Federal/provincial/territorial Labour Force Development Agreements and Labour Force Development Boards could allow people with disabilities to play a significant role in economic planning and labour force development at the community level. Accountability procedures could increase access of people with disabilities to LFDS programming.
3. Unemployment Insurance funds are increasingly being drawn upon to fund training. These funds are making up an increasing proportion of the federal investment in

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[73] See Statistics Canada, *Education Statistics Bulletin* (November 1990).

training. There are also measures to reduce unemployment and to increase participation in a broader spectrum of occupations.

4. Vocational training is provided — by employers, community-based training agencies, sheltered work and training agencies, and by private and public training institutions — through funding under the Canada Assistance Plan (CAP), the Vocational Rehabilitation of Disabled Persons Act (VRDP), and federal/provincial/territorial agreements.

5. Post-secondary education, although a provincial/territorial responsibility, is subsidized through federal transfer payments under the Federal-Provincial Fiscal Arrangements and Post-Secondary Education and Health Contributions Act. Through provincial educational funding, a number of provinces are making accommodations in post-secondary institutions to increase the participation of people with disabilities.

6. Cooperative educational programs combine work placement and academic courses through both secondary and post-secondary institutions. A few sheltered programs have been established specifically for students with disabilities under VRDP and CJS/LFDS funding arrangements.

7. Adult Basic Education (ABE) is generally funded by provincial/territorial governments. The new LFDS framework allows ABE programs to be eligible for funding under LFDS; that could increase access to ABE by persons with disabilities. The Secretary of State's National Literacy Program has provided for research, development and coordination in the literacy field, some of which has been focused on people with disabilities.

8. Federal-Provincial Employability Enhancement Agreements make it possible for social assistance recipients to take part in CJS/LFDS and similar provincial training programs (training funded under these agreements is referred to in this text as SAR funded training).
9. Sheltered workshops and day programs often have a rehabilitation component that includes pre-vocational and vocational skills training. These are funded under CAP and VRDP, and are cost-shared with the provinces and territories.

Using these federal-provincial/territorial arrangements and cost sharing, and in some cases using 100 per cent provincial/territorial dollars, the provinces and territories fund training and post-secondary education. (The focus of analysis in this report is on the broader framework, within which these initiatives have been implemented.)

For a more detailed description of government arrangements for delivering training, see Appendix A.

ISSUES IN DELIVERY OF TRAINING

Contained within the complex set of arrangements described above are major challenges to individuals seeking access to training and education opportunities.

Lack of a guiding policy framework

A number of issues identified within this policy framework contribute to the low participation of people with disabilities in training. Cost-sharing arrangements with the federal government give provinces and territories considerable freedom to set their own priorities in purchasing training (and the delivery of disability-related supports around training). The social service system around disability has also reached different levels of development in different provinces. The result is that programming is inconsistently and inequitably operated across the country. While it is a positive step to have a diversity of options, again real inequities persist across provinces and territories in terms of the options made available both for training and provision of supports to participate in training.

The criteria used to purchase training are not driven by a coherent policy framework aimed at the economic integration of persons with disabilities. Provinces and territories have been reluctant to impose a new policy framework upon service systems currently involved in the area of employment and disability, because it has been assumed for so long that the service agencies were best able to determine what training should be purchased and how it should be delivered. Given the long history of some service agencies, and their large

> **"VRDP may pay for things like tuition and books, but how are we supposed to live?"**
> **A consumer advocate**

> "There is not enough listening to people. They do not have an opportunity to say, 'I'd like to do this,' because 'the assessment says this' instead. People are fit into programs rather than the other way around."
> An advocate

and sometimes powerful constituencies, many governments have continued to purchase sheltered forms of training to avoid conflicts with these major providers, even if this has meant limited access to the mainstream labour market for the clients of these providers. This policy choice has meant that persons with a disability who do not want to be segregated are often without viable alternatives like supported training, supported employment and other integrated options.

Some workshops are making the transition towards providing supported employment and supported on-the-job training options; other agencies are being established solely to provide such opportunities. In addition, some training programs delivered through colleges and community agencies have started to provide a mixture of classroom and on-the-job training. However, any large-scale shift towards integrated work and training goals would require a change in traditional training purchasing policies.

Sheltered training and day programs cost-shared under CAP and purchased by provincial/territorial governments offer basic skills training and work experience for those identified as ineligible for mainstream job and vocational training programs. In providing these services, CAP divides persons with disabilities into two classes: those deemed able to manage in mainstream training and employment; and those who must participate in sheltered options if they are to receive support.

Training purchased by the federal government through EIC gives local Canada Employment Centre managers responsibility for purchasing training. Under the LFDS framework, responsibility will eventually shift to the Labour Force Development Boards

(LFDBs) now being established at the national, provincial/territorial and local levels. Persons with disabilities are to have some representation on these boards. However, there are no systematic, global procedures within EIC to ensure that targets for including persons with disabilities in training will be achieved. It remains to be seen whether LFDS/LFDB accountability will be monitored and enforced. Many fear that the advent of local Labour Force Development Boards may put people with disabilities in an even worse position than in the past under CJS when it comes to gaining access to the training.

In the case of purchases of training by both federal and provincial governments, training and post-secondary education opportunities tend to be concentrated in highly populated areas where demand justifies the organization and delivery of these opportunities. This means that individuals with disabilities who live outside these areas (e.g., rural regions) often must choose between remaining in an area where they have the often vital support of family and friends, or moving to an area where training is available but not the essential supports.

Sponsorship of training

Training is increasingly sponsored by employers and by coordinating groups made up of employers, labour organizations, and community-based disability and other organizations. Private sector, for-profit coordinating groups have not played as significant a role as they

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"There is a lack of encouragement to go out and look for work. Counsellors ... actually discourage the job search: 'Yes we have jobs but they wouldn't be right for you.' This attitude is based on the premise that persons with disabilities are not good employees." A consumer advocate

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might in sponsoring training for persons with disabilities. This role has fallen largely to voluntary, non-profit coordinating groups.

Particularly under EIC initiatives, employer demand has driven the training process. When employers are looking for workers, agencies can refer persons with disabilities. Under poor economic conditions, demand for trainees is soft and agencies compete to serve employers who will provide jobs that can be used or structured for on-the-job training.

Where the demand is present, it often needs to be met quickly, putting pressure on employers and employment agencies. However, the need to quickly identify individuals with disabilities for training can pose problems: voluntary groups are often not in a position to keep a running log of client job seekers on the off chance that an employer needs trainees.

Where employer demand for trainees must be filled immediately, there is little time to obtain the necessary devices and make the necessary accommodations to the workplace for potential trainees. Inevitably, it becomes easy to limit training opportunities to people who require no accommodations or accommodations that can be implemented quickly. As local funding for training and accommodations is often available only at certain points in the fiscal year, employer demand and the ability to secure accommodations can be thwarted by bad timing as well.

"There is much red tape involved in gaining access to funding for training. There are long waits, many counsellors and much bureaucracy."
A consumer advocate

Because training resources are limited, employers are, in effect, in competition with one another for scarce training dollars. Those who end up in the best position to provide training opportunities will be those who are best at grantsmanship. Notwithstanding the merits of the training they offer, employers and other sponsors who lack the skill or time to develop convincing proposals and to grapple with the red tape are unlikely to be able to sponsor training and work-experience opportunities for people with disabilities.

Moreover, small employers may justifiably believe that on-the-job training would involve a significant diversion of staff time. Such a disincentive will lessen the overall availability of training opportunities, particularly in an economic climate dominated by a *lean and mean* organizational principle. Given that employers' significant role as sponsors and providers of training is likely to expand under the Labour Force Development Strategy, employers need active support in meeting the instructional and other needs of persons with disabilities.

Many voluntary disability organizations secure government funding to make training available to their clients and provide job coaches, instructors, etc., and other components of training. However, these organizations have difficulty identifying employers open to sponsoring on-the-job training for persons with disabilities, where their expertise can be of use. In addition, funding for these initiatives is time-limited and the program staff are often laid off, regardless of the success of a program. The knowledge and skills of trainers leaves with them. The temporary nature of positions as job coaches, trainers, and training coordinators makes it difficult to find competent individuals to take these jobs. Moreover, when individuals have jobs disrupted because of funding problems, they are unlikely to remain on call in the event that new funding becomes available. As they seek more secure employment elsewhere, organizations are forced to continually train new staff for the same job. This discourages organizations from becoming involved in training and limits the numbers of skilled individuals available to provide training. Further, general shortages of funding for non-government agencies often limit staff available to develop the project proposals needed to secure funding for sponsoring or providing training. Private sector employers face similar staffing issues.

Besides providing training, these agencies can provide valuable resources and information to employers sponsoring training. They provide training institutions and employers with task analysis, identify needed equipment and architectural changes, and provide strategies on how co-workers can play a supportive role. Yet these critical services are often not funded. As a result, the agencies are hampered in their ability to provide these important services.

Getting into training: Restrictive criteria

Entrance requirements vary considerably across training programs.[74] For example, persons with disabilities may get into the same college-based training class at least five ways: on their own initiative using their own resources or student loans; through EIC; through VRDP cost-sharing; via the Employability Enhancement Agreements delivered through provincial social assistance departments; or through Workers' Compensation. The route chosen — or presented as the only option — will determine the outcome.

In this example, persons gaining access to the class on their own would have to prove they have the academic qualifications for admission to the program. A high proportion of people with disabilities have either not completed high school or do not possess the sound literacy and numeracy skills essential for entrance to post-secondary training and education. In the other instances, individuals would have to meet the eligibility requirements under the EIC, VRDP, SAR funded training or WCB systems.

In many cases, eligibility for training is determined by vocational counsellors attached to these systems. (Chapter 7 examines problems with this arrangement.) The *National Training Act*

> "There has been too much emphasis in the past on 'cheap screens' – screens to keep people with disabilities out of training programs. We need more emphasis on screens that let people in."
> An EIC official

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[74] For a review of issues related to barriers to training, see also Coalition of Provincial Organizations of the Handicapped (COPOH) and National Anti-Poverty Organization (NAPO), *Willing to Work Together* (Winnipeg: COPOH, September 1991).

mandates EIC counsellors to perform this gatekeeping function. Even when EIC subcontracts vocational counselling services to community agencies, those counsellors must adhere to EIC criteria. Much the same arrangement is found under VRDP arrangements. In addition, vocational counsellors attached to provincial/territorial government departments responsible for funding and administering social assistance determine the eligibility of social assistance recipients for training. The criteria administered by vocational counsellors present a major set of barriers to participation in training or educational programming.

Employability

The key eligibility criterion vocational counsellors use for determining access by social assistance recipients to training under the federal/provincial Employability Enhancement Agreements is *employability*. However, eligibility for disability pensions and benefits under CAP-funded provincial/territorial welfare programs demands that people be *long-term unemployable*, *permanently unemployable*, or have *low employment potential*. Obviously, these criteria create a catch-22. In order to have supports, recipients must be *unemployable*. But *unemployable* people are not eligible for training. Moreover, in some provinces *unemployable* people receive provincial welfare support, while municipal welfare is for *employable* recipients. Therefore, access to funded training for social assistance recipients can depend on where people live and the programs in that province/territory.

The determination of *employability* is ultimately a judgement call by vocational counsellors and placement officers. A variety of factors affect their decisions. Under VRDP-funded programs, vocational counsellors make personal judgements about whether the vocational goals—and therefore the requested training—of the persons being interviewed are *realistic*. This judgement can be based on general opinions about the capacities of people with disabilities or the likelihood of applicants finding work in a given field.

Under EIC, VRDP and SAR funded training, should individuals appear to counsellors as unable to master the necessary skills or knowledge or to integrate into the labour force in the funded time-frame, the counsellors can deem applicants as ineligible. Although under LFDS, funded training has been extended from one to three years, the time limit eliminates from the EIC-funded client list many who require ongoing support.[75] The remaining clients are those who are *employable* in the sense that they can become fully competitive and independent in the labour force within three years. No doubt many counsellors make fair and informed determinations of who will gain access to training. Yet there is a general impression that counsellors tend to have low expectations of their clients, leading them to the conclusion that fewer rather than more individuals should receive training.

> "Employment or program planning is less useful where people with disabilities know what they want to do. It works well where the planner acts as a peer. The unequal treatment that usually happens during the planning is a disincentive to participate. If testing and assessment runs counter to what the individual wants to do, the person is likely to say, 'Forget it.' "
>
> A consumer advocate

Counsellors measure the success of training under EIC, VRDP and Employability Enhancement Agreements by whether it results in competitive employment and complete independence of training supports. Therefore, persons who do not have needed support at the training site, or who will require support for the limited duration of the training program, may not be considered *employable*. The *employability* of a person with a disability has therefore become equated with the lack of an ongoing need for support, which for

[75] The LFDS time limit also eliminates from the EIC-funded client list people who at one time were eligible to "recycle" for several years through alternating periods of wage-subsidized job placements and training provided off the job site.

> "There is a lot of reporting, administration and accounting at all levels. This cuts down the amount of time non-government organizations can spend in direct service." An advocate

many persons with disabilities is an untenable assumption.

Counsellors can also measure *employability* by the applicant's ability to hold a job that pays minimum wage or better in the competitive labour force. Many people are unable to secure such jobs upon entering the labour force. Vocational counsellors or placement officers can designate such an applicant as ineligible for training.[76]

Other criteria

Aside from the applicant's *employability*, counsellors are under pressure to ensure the cost-effectiveness of their services (i.e., a favourable ratio between the number of individuals counselled and those placed in jobs or training). Therefore, counsellors are likely to focus their energies on applicants who have the greatest likelihood of integrating quickly into the labour force with the least time/cost involvement by the funding department. People with disabilities who present complex challenges to labour force integration are, therefore, likely to be passed over by counsellors.

Indeed, it can be a major challenge for people with disabilities to convince counsellors that they should qualify for training. For example, the *motivation* criterion established under the CJS/LFDS Employability Improvement Program can be interpreted by counsellors in a restrictive way. First, repeated rejection by educational institutions, training institutions, employers and vocational counsellors discourages and undermines the confidence of people with disabilities to display *goal-directed behaviour*. Second, participation in volunteer work is taken as an indicator of motivation; yet thousands of people with disabilities cannot do volunteer work without jeopardizing their standing with the welfare, C/QPP and other income support systems. Third, social isolation

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[76] In addition, if CEC officials are to favourably consider coordinators' candidates for training or work placements, they must agree that the candidates are *employable*. However, candidates seen by coordinators as potentially *employable* are often rejected by EIC staff who have different, often inconsistent, perceptions of the meaning of *employable*.

> "Only one person survived this program. All others dropped out because of a lack of follow-up support."
> An advocate

because of institutional care and exclusion from educational and socialization activities results in weak social contacts; such people are unlikely to have letters of reference and other recommendations to present to CEC counsellors. Fourth, individuals with major disabilities in the area of communication are likely to have difficulty *proving* their motivation to CEC counsellors.

Counsellors may also refuse a person access to training because of the individual's inability to formulate a specific enough *vocational goal* to warrant approval; yet people who have been excluded from the labour market, from training and education and from many of the ordinary experiences and opportunities that are open to other citizens, are unlikely to have a clear vocational direction.

Individuals may wish to gain access to training for jobs that counsellors believe are probably unavailable to applicants with disabilities in local labour markets; this becomes another reason that they are turned down for training. Individuals have also been turned down because the skills and knowledge they wish to obtain will not be immediately transferrable to a job or occupation in the local labour market. People rejected on these grounds would include individuals who wish to pursue general knowledge degrees at colleges or universities.

Counsellors are likely to determine eligibility for funded post-secondary training, at least in part, in favour of those who do not need support or whose needs for support are being met. Similarly, under some CJS programs, if the availability of transportation to or from the training site is critical, the absence of this support service can serve as *de facto* ineligibility for training. As we have seen, however, many barriers prevent individuals from obtaining these supports (see Chapter 5).

Taking participants' needs into account is recognized under CJS/LFDS programming, VRDP, Employability Enhancement, and Workers' Compensation. However, if there is the lack of essential community services to address disability-related needs, counsellors can determine that a person is ineligible for certain training. For example, training coordinators under EIC-purchased training projects are responsible for providing advice and guidance to training participants. However, EIC advises coordinators not to attempt to provide informal support if a participant requires professional help, even if professional help is unavailable. That is a compelling reason for coordinators not to become involved with persons who may require forms of assistance that are inaccessible. In effect, those persons can become ineligible for training.

Whether applicants are found eligible for disability-related training opportunities also depends on whether they are identified by counsellors as having *eligible* disabilities. For CJS training with a work placement component, clear definitions of physical handicap tend to allow counsellors to focus on persons whose physical disabilities are readily apparent. The definition of mental handicap has been more selective, making it possible for counsellors to presume that people's cognitive disabilities, motor impairments or learning disabilities would require more supervision than the program offers. The letter of the definition has also allowed persons with learning and psychiatric conditions, whose cognitive disabilities do not appear *significant* to the vocational counsellor, to be set to one side.

Some CJS (and other) programs have been designed to include persons who have a prior history of institutionalization in psychiatric facilities. However, because of the pervasive negative stigma experienced by people with psychiatric disabilities, many are unprepared to disclose their past to employment counsellors or to potential employers. Yet, if they do not disclose their background they are not likely to be included in training programs that target people with disabilities.

"I signed up for the Employment Transitions Program [a wage-subsidy program]. It's for on-the-job training. I was given six different placements in six months. Finally, I got a job at the store. They wanted to hire me after the training period. But it was a union shop and they said I wouldn't be able to get into the union."
A consumer advocate

Under vocational rehabilitation programs, applicants are often required to provide medical "proof" to vocational counsellors that they have a disability. Yet many disabilities go undiagnosed by the medical profession; therefore, counsellors may be unable to approve funding for training, work placements and accommodations for individuals who, nonetheless, have bona fide disabilities. Specific disabilities in the area of reading, for example, require testing that educational psychologists are better qualified to perform than physicians. Where the evidence of disability and need is assessed by non-medical professionals, these services can be so backlogged that applicants cannot obtain the necessary "proof" in time.

Counsellors also make eligibility determinations on the basis of union agreements.[77] Union and employee associations are increasingly sensitive to disability issues and have made commitments to increase participation by people with disabilities in training and employment opportunities. However, collective agreements still stand in the way of eligibility for training. The union or employee association may have to approve individuals' training plans, which might involve modifications of job duties inconsistent with a collective agreement. If such concurrence cannot be secured, individuals can find themselves ineligible for training. Similarly, an employer open to hiring a trainee may not be able to if union rules require that the job vacancy go to open competition. Because the likelihood of getting the job at the end of training looks poor in this scenario, that individual is unlikely to be considered eligible for publicly funded on-the-job training in that employment setting.

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[77] See, for example, Employment and Immigration Canada, *Canadian Jobs Strategy, Operational Procedures*, 3.04 (2(f)), 3.07 (4), 4.11 (7).

In some areas of the country, counsellors are mandated to refuse access to VRDP-funded training because the dollars are earmarked only for unemployed individuals. Individuals who are employed but who may want to retrain are deemed ineligible in these circumstances. In other situations, individuals are not employed but have nonetheless been labelled *employable* by the welfare system. They are often given the choice by financial aid counsellors of getting a job or losing benefits. Accordingly, they may enroll in life skills training and work placement funded under the SAR agreements. However, if they miss a class or fail to show up for a day of work placement, they may no longer be eligible for the work placement, the work preparation classes, or their benefits. Yet it should be expected that individuals with disabilities will occasionally need time away from work or training because of illness or other problems related to their disabilities.

> "People who are in depression may require tasks to be reassigned for a while. People who are on medications may also need this from time to time because the side effects of the drugs can affect your concentration and performance."
>
> A consumer advocate

Under some CJS programs, the eligibility criteria have created strong disincentives to participation in training for persons in the workforce. For example, to gain access to some CJS programs, the "labour market disadvantaged" must not be attached to the work force for more than 25 hours per week. Therefore, employed persons with disabilities who seek upgrading must either quit their present job or arrange to have their work hours cut back so they can take training. Obviously, employed people will be reluctant to quit their jobs and to take training as this is likely to lead only to unemployment. Full-time employees may receive benefits that provide security essential for health and well-being. These may be jeopardized by a reduction in working hours — as part-time employees are often ineligible for employee benefits — and individuals are not likely to sacrifice their benefits to take part in training.

In addition, participants are expected under some CJS programs to invest an average of 35 hours per week in their training, yet physiological and other difficulties, as well as off-site rehabilitation and therapy sessions, make full-time participation in training extremely problematic for many persons with disabilities. EIC, VRDP and other decision-making procedures work, at least in principle, to ensure that individual needs and limitations are taken into account. However, training procedures may not be flexible. An individual's perceived inability to sustain the demands of training may lead a training coordinator or placement counsellor to consider a person ill-suited for training.

To add to the problem, the eligibility criteria examined here vary widely across programs and are not administered consistently even within any one system. Individual training/placement counsellors have different backgrounds and biases concerning disability; agency managers set different priorities and prohibitions; and each province, territory and sub-region has different economic opportunities and priorities, different goals and emphasis on different target groups for training.

Moreover, because much of the funding for training delivered under CJS/LFDS is now coming from UI, being a recipient of UI is another important eligibility criterion. However, this arrangement entrenches a vicious cycle. Hundreds of thousands of people with disabilities cannot get jobs and so do not qualify for UI. Because they do not qualify for UI, they cannot get training. Because they cannot get training, they cannot get jobs. Also affected are some community-based agencies funded in part through EIC to design and provide training, vocational counselling, job placement, on-the-job training support, and follow-up support to people with disabilities. In the spring of 1991 Employment and Immigration Canada told these agencies to give priority in their services to UI claimants. This has made it difficult for people not receiving UI to get training through agencies that were previously funded by other means.

> "Often, curricula and instructors confirm the message of stupidity. Instructors can communicate this in subtle ways through body language."
> An advocate

In conclusion, as a result of varying eligibility requirements and administrative inconsistencies, the same person might, depending on the program, be identified as completely ineligible for training, or eligible not only for training, but also for support services and accommodations in the training site and post-training job placement. A counsellor may disqualify an individual for being insufficiently motivated, too costly to serve, not *employable* enough, requiring long-term supports and services, requiring supports and services not available in the community, having a disability not recognized by the system, in conflict with collective agreements, lacking a clear vocational goal, wanting to pursue training "irrelevant to the labour market," likely to be absent from training because of illness or disability, employed, unable to successfully complete the training within the allotted time frame, or not a UI recipient. It is hardly surprising that participation levels in training and education are so low when these factors combine with the many other barriers that people encounter and that are examined in this report.

Inaccessibility

Should a person make it through the maze of restrictive eligibility criteria and be accepted in a training program, inaccessibility comes up as the next major barrier. Without such items as text recognition systems, text enlargers, special attachments to computers, modified tools, and other devices that extend individuals' physical, sensory and cognitive abilities, many individuals cannot complete their training. They may also need adequate elevator systems, accessible washrooms and ramps. Colleges that deliver training, however, may not have the necessary equipment available or they may be located in premises that are difficult to navigate for persons with sensory and mobility impairments.

"The bureaucracy of the educational system is confusing and discouraging. The registration process can be overwhelming, and you feel overwhelmed by the information the moment you open the calendar. This reinforces feelings of incompetence. It makes you ask yourself, 'What if I forget all this, what if I screw up?'"
A consumer advocate

Public education institutions and, to a lesser extent, privately run facilities are under public pressure to make their facilities fully accessible. While accessibility is improving, there is a considerable distance to go. Even in major metropolitan areas, there may be only one or two campuses that are architecturally accessible and fitted with assistive devices for persons with various impairments. Meanwhile, tight budgets set limits on the progress that might be made.

Further restricting access, EIC and VRDP dollars for accommodations are allocated on the condition that they be spent on the clients of those systems. But the access of persons with disabilities to training under EIC and VRDP, and to the status of client, can be blocked on many grounds. As a result, dollars earmarked for architectural and other modifications are spent on considerably fewer than the total numbers of people who might otherwise benefit.[78]

Other issues

Low literacy levels

Because of interrupted schooling and countless other factors, many people with disabilities have literacy levels that are insufficient to fill out training application forms. (While employment counsellors can sometimes help in this area, they may be unavailable, unable or unwilling to do so.) Many others, although able to fill out the forms, find the application and interview process too intimidating to face without supportive counselling and referral. Still others find that low literacy and numeracy skills make it difficult to complete courses.

Instructional styles and class structure

Some persons with disabilities have found that instructors lack sensitivity to, and awareness of, disability and learning issues, and are even impatient, intolerant and demeaning. Individuals have also found that instructors lack sensitivity towards the different learning styles of persons with disabilities. Employers offering training on the job and educational instructors often lack instructional resources that are required for people with intellectual, learning or psychiatric disabilities. At various educational sites such as colleges, many instructors do not understand how to include people with various limitations in the program, or how to address a diversity of learning styles in the training process.

Large classes have also limited the quality of the learning. For persons who had not previously participated in training or education, it has been found that a large class is intimidating. Further difficulties include the tendency for programs to process trainees *en masse* rather than on an individual basis, and the lack of assistants to provide one-on-one tutorial support.

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[78] Further, the fact that dollars are available to training site hosts for disability-related costs does not seem to be widely advertised among communities or persons with disabilities, who in turn could bring this to the attention of employers. As a result, the dollars are not utilized as fully as they might be in the workplace and for on-the-job training.

There are also scheduling difficulties for some persons. Because of their disability, many have found that full-time training is not feasible, or they need time off for therapy and rehabilitation services. For some who have had little or no previous involvement in regular education or employment, or who have visual, learning or hearing disabilities that have not been adequately accommodated by instructors, the stress of full-time participation in the training environment is too high.

Duration of training

A common complaint about training programs is that programs are simply not long enough to allow people to master the curriculum of knowledge and skills.[79] This is a particular problem for persons whose sensory, physical or cognitive limitations necessitate more time to learn skills. Employment counsellors who perceive that individuals will not likely achieve expected skill levels within the allotted 52-week time-limit may simply reject the applicant.

Under LFDS, a Canada Employment Centre may extend the fundable period of training to a maximum of three years. The provision could be used to accommodate the learning needs of many persons with disabilities; however, as LFDS is just being implemented, it is too early to tell whether the new provision will be used for this purpose or as an exception rarely granted.

Attempts to sponsor longer-term training for people with disabilities under SAR funding arrangements have been thwarted. Provincial governments have indicated SAR funding is for short-term purposes only.

Issues affecting employers who provide training

Employers who seek funding for accommodations must satisfy funders of the merits of their proposed training initiatives. The skills, time and inconvenience involved dissuades many —

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[79] EIC training, for example, generally lasts only 16 to 52 weeks.

particularly small — employers.

Employers that provide publicly funded training may require guarantees that a medical condition will not worsen during training. Failure to produce medical certification to that effect could preclude access to training. However, this certification is often perceived as intrusive and humiliating by persons with disabilities, and as a disincentive to participate.

Transition to employment after training

EIC data indicate that people with disabilities who take part in training are significantly less likely than other target group members to be retained in their jobs by their employers once their training has finished.[80] Even when persons with disabilities do obtain employment, through wage-subsidy arrangements with employers to provide on-the-job training, they are often let go once the wage subsidy runs out. This happens for a number of reasons:

- considerable training for persons with disabilities is provided on-the-job. In certain regions, however, employers offer only seasonal training and work opportunities, so training ends when the work season ends;
- both private and public sector employers are reluctant to hire once wage subsidies run out because of the general labour market trend to downsize workforces;
- employers may perceive wage subsidies as compensation for the supposedly lower productivity levels of trainees brought into the workforce on a subsidized wage basis. Once the subsidy ends, the employer may perceive that there is no incentive to retain these employees.

Subsidized on-the-job training is not ineffective per se. However, without incentives or requirements for employers to hire persons after completing wage-subsidy programs, such training is not fulfilling its potential.

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[80] *Canadian Jobs Strategy: Analysis of Participant Follow-up Survey Results*, Volume II: Tables, BMC Project No. 2-8219 (February 1990), Tables 16, 17 and 28.

> "The government gives grants for on-the-job training for six months or a year. Then the job is over. And then, you're out ... It always seems that on-the-job training never turns into a real job. When [the government subsidy is] over, employers always say they don't have enough money to hire you."
>
> A consumer advocate

Aside from wage subsidies, many persons with disabilities found that they were not "graduated" from sheltered training to on-the-job training sites, despite their requests. Many of those not in sheltered workshops found that they often had to pass through many levels of social skills, life skills and job readiness training to prove themselves able to participate in real employment. Therefore, trainees move from placement to placement, few of which end in employment.

In addition, the sheltered training and employment option segregates people from their non-disabled peers and often hampers skill development. A large proportion of sheltered workers have cognitive or other psychological disabilities and have been streamed out of the mainstream labour market. A common complaint made by people with disabilities is that these segregated training and day activity arrangements do little to equip people for meaningful work in the general labour market, and that they are also financially exploitive. Disproportionately high concentrations of Canadians working in sheltered situations are in Quebec, Ontario and Saskatchewan. (Tables 33 and 34)

UI recipients are more likely to receive effective training and to be employed after training than are social assistance recipients.[81] Yet persons with disabilities tend to have weaker paid attachment to the labour force. They are therefore less likely than others to be receiving Unemployment Insurance benefits and the related training opportunities.

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[81] *Ibid.*, Volume II: Table 118.

In summary, as individuals with disabilities attain higher levels of education and training, they face better opportunities in the labour market. Federal and provincial governments have made an enormous investment in a complex set of arrangements to deliver training and education to target groups that include people with disabilities and to the general population. Despite all of these arrangements, people with disabilities are not gaining equitable access to training and education.

People's purported lack of employability, their lack of a realistic vocational goal, and any number of other exclusionary criteria bar them from gaining access to these important opportunities. A lack of coordination between the social services, income support and the education and training systems makes it difficult — even impossible — for many others to participate.

Moreover, lack of involvement of people with disabilities in setting priorities around training and economic development has meant that disability has not figured as a high priority: actual participation in training has generally fallen far short of participation target levels. Perhaps largely as a result of this, many training and educational sites are not accessible, the funded training is often too short to be useful, and there is a need for a better match between the learner's needs and the style and forum of instruction. For many, the training does not lead to jobs. For others it leads to job ghettoization. Moreover, the training opportunities are not equally available in all parts of the country. They are becoming increasingly

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"The [sheltered workshop] staff say we're going to respect your dignity and your rights but when push comes to shove they don't. They scream at people to work. It's handicapped slave labour. The staff wouldn't let you talk to each other or even have a coffee break. And they talk about this as 'normalization.' "

A consumer advocate

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less available to people who have not been recently attached to the labour market. These and many other problems have sapped the potential of current training and education arrangements to enable people with disabilities to meet the economic challenges of today, let alone of the future.

CHAPTER 7.

COORDINATING ACCESS TO TRAINING, EDUCATION, EMPLOYMENT AND SUPPORT SERVICES

As we have shown, gaining access to education, training, related supports and ultimately the labour market, can be a formidable task for persons with disabilities. A variety of coordination service agencies have been established to "road map" the complex systems in place and to assist people with disabilities to solve the problems they encounter with those systems. These agencies provide vocational counselling services and a range of other coordination services including job finding, placement and follow-up services, as well as information and referral services. In addition, a few agencies have provided coordinating support to individuals to gain access to credit and business planning expertise for the purpose of self-employment. This support will become increasingly important given that one of the fastest growing areas in jobs is the small-business and self-employment sector.

In many instances, as mentioned, coordination agencies provide services enabling individuals to "road map" the systems and the opportunities they provide. The agencies are also sometimes empowered to act as gatekeepers, determining whether applicants are eligible for the funding, services and opportunities they seek. Such agencies make or contract others to make vocational assessments of an individual's functional capacity in specific job-related tasks and skills. These assessments identify the person's vocational goals and provide the basis for a vocational plan. The assessments are then used to guide the selection of, or to deny access to, rehabilitation, support, training and education strategies for that person.

The agencies that provide these coordination services fall into three broad categories: public agencies attached to government training and job development, vocational rehabilitation, Workers' Compensation, and income support programs; counselling units attached to the secondary and post-secondary educational systems; and agencies run by voluntary organizations in the community. The voluntary agencies are often hired on contract by their public counterparts to deliver specific services in which they have particular expertise.

PROVISIONS FOR DELIVERING COORDINATION SERVICES

Major public systems

Section 4 of the *National Training Act* makes employment counsellors the *gatekeepers*, empowered to determine whether training — and therefore EIC funding — is appropriate for particular applicants. This function is also contracted out to community agencies under the EIC Outreach Program. The expertise of special-needs counsellors, once available to CEC counsellors, is no longer provided. EIC has dropped this component and moved towards generic counselling. However, CEC employment counsellors have access to vocational testing and assessment tools from other sources.

> "Government grants make programs come and go.
> We're always starting from scratch."
> A consumer advocate

Where an employment counsellor reasonably anticipates that an individual will have an increased earning capacity or increased employment potential as a result of training, the counsellor may deem enrollment in training an appropriate course of action for the individual and for EIC to fund. For people with disabilities, counsellors' interpretation and application of eligibility is critical to their participation in employment (see Chapter 6).

EIC's newly established Employability Improvement Program is a more client-centred approach to vocational counselling and to the purchase of training within the CJS/LFDS framework. In order to get training purchased under Employability Improvement, individuals must:

1. demonstrate that they face serious labour market difficulty (those identified as persons with disabilities usually meet this criterion);
2. demonstrate motivation (i.e., goal-directed behaviour) that convinces counsellors of their determination to complete training and sustain a job search as long as it takes to be successful;
3. obtain approval from the CEC or a designated agency of their *client action plan*, outlining vocational goals, strategies and specific training purchases.

As well as providing vocational counselling, counsellors attached to CECs are also mandated to provide job referral services, to arrange job and training placements, and to deliver labour market information to job seekers and employers.

Individuals who wish for VRDP-funded training and support services must have an individual training plan prepared by a vocational rehabilitation counsellor. These counsellors are employed by provinces/territories in a vocational rehabilitation service or are contracted by them. The training plan, including its cost requirements, must then get administrative approval. Traditionally, this was done by a Training Selection Committee, now being replaced in many instances by a more streamlined administrative process.

Under VRDP, individuals must be seen as "capable of engaging in a substantially gainful occupation" by counsellors, administrators, and training selection committees at each stage of the approval process. In addition, individuals must have medical certification "proving" disability for access to vocational rehabilitation programming in most provinces and territories. Provinces and territories have differing appeal procedures for challenging decisions about proposed training plans and funding. As with CEC counsellors, the counsellors attached to vocational rehabilitation programs provide information services, help arrange job and training placements, make referrals, and assist with ensuring accommodations are in place in the training or job site.

Some Workers' Compensation Boards have gone through major restructuring to develop and streamline the delivery of vocational rehabilitation and labour force re-integration services. Because the boards were established to fund and manage compensation to injured workers, rehabilitation has not received sufficient emphasis in the past. Recent Workers' Compensation Board changes that are similar in some provinces include:

1. an obligation on employers to re-employ workers injured on the job, when possible and where accommodations can be provided;
2. early intervention and a right to early vocational assessment and counselling;

3. an integrated, case management approach to developing vocational plans and organizing access to specialists and services to realize those plans;
4. efforts to improve service delivery through technology, information systems, better staff training, early intervention, timelier appeal processes, increased numbers of claims adjudicators and caseworkers, and services to workers in their communities;
5. modified work programs to bring injured workers back into the workforce quickly, safely and successfully;
6. individualized vocational rehabilitation programs that include: training, retraining or education combined with physical, social and psychological rehabilitation as necessary; job-seeking assistance to claimants; subsidies and other strategies to encourage employers to hire injured workers; and financial support to workers during rehabilitation;
7. all boards provide for modification of the workplace, homes and vehicles, as well as homemaker assistance, technical aids and moving expenses, if these will result in successful re-integration.

This list is impressive; however, it is too early to tell whether these measures will lower the barriers to vocational counselling, rehabilitation services, and successful re-integration into the workforce that WCB clients have historically faced.

Provincial/territorial governments are also increasingly taking responsibility for delivering vocational counselling, referral, placement and information services. One aim is to speed the transition from welfare to work, both of *employable* individuals eligible for provincially funded vocational training and those who simply require job search, resume writing and interviewing skills.

In order to streamline the entrance of disadvantaged workers — youth, women, Aboriginal peoples, visible minorities, older workers, persons with disabilities[82] — into vocational programs and link them to the labour market, some provincial governments are rationalizing the funding and delivery of vocational counselling services by provincial departments and agencies. The Quebec government has gone the furthest in establishing a separate provincial delivery system for vocational counselling services.

The secondary and post-secondary education system

The school-to-work transition is critical to integrating young people with disabilities into the labour force. As yet, however, there is no broad policy, program or funding framework specifically related to that objective. The federal Youth Initiatives component of CJS/LFDS Employability Improvement Program enables the provision of counselling and referral services for secondary-level students making school-to-training transitions. Some provinces have entered into Youth Strategy agreements whereby the federal government allocates funding for the delivery of services through Youth Initiatives. The intent is to assist students to remain in secondary school through cooperative education and work experience programs, and to make transitions to post-secondary education, training and employment opportunities. To date, these initiatives have not sufficiently targeted young people with disabilities.

Also at the post-secondary level, isolated school-to-work transition programs have evolved piecemeal to provide counselling and educational and employment-related planning, sometimes as

"The value of assessments depends on who is doing them. The attitude of the person doing the assessment is important. Peer counselling is important." A consumer advocate

[82] The trend toward an increase in the proportion of disadvantaged workers was analyzed in a number of reports and studies through the latter half of the 1980s and early 1990s. See Statistics Canada, *Persons on the Margins of the Labour Force* (Ottawa, 1987); Morley Gunderson, L. Muszynski and Jennifer Keck, *Women and Labour Market Poverty* (Ottawa: Canadian Advisory Council on the Status of Women, June 1990); Heather Menzies, *Fast Forward and Out of Control: How Technology Is Changing Your Life* (Toronto: MacMillan, 1989).

soon as students enter secondary school. However, school boards have not traditionally set this as an educational priority, especially for youths with disabilities.

At the post-secondary level, many provincial governments provide funding for special-needs counsellors in publicly funded community and vocational colleges and some universities. Funding is often cost-shared under VRDP. In some instances, direct government funding is provided to campuses to hire special-needs counsellors. Some colleges, universities and other post-secondary institutions are developing expertise in this area on their own initiative.

The voluntary "shadow system"

A large network of voluntary agencies has been contracted to serve as a shadow system of EIC and of similar provincial agencies. These Outreach and disability organizations have been instrumental in establishing the little access that persons with disabilities have had to training and employment. They are often the only place in the broad delivery system where vocational counsellors have high expectations and faith in persons with disabilities to take part in mainstream training and employment opportunities. They often have persons with disabilities on staff and/or boards of directors, increasing the sensitivity of the organization to the people they serve. Local offices are often the means by which people with disabilities contact informal mutual support groups to share ideas and strategies related to the job search, failures in the job market, unsupportive employers and co-workers, and obtaining needed services and income

> "EIC and other government personnel are always turning over. The staff at EIC seems to recycle entirely about every two years. As a consequence, we're continually having to train the trainers." An advocate

support. Key organizations within the network include the Canadian Association of Independent Living Centres, Associations for Community Living, Canadian Mental Health Association, the Canadian Paraplegic Association, the Coalition of Provincial Organizations of the Handicapped (COPOH) and the Canadian National Institute for the Blind.

To a large extent, the recruitment, job-finding, placement and follow-up functions and support for self-employment that make the labour market accessible to persons with disabilities are provided by these agencies and the organizations that sponsor them. An enormous number of voluntary agencies provide these services (for people with a mental handicap, it was estimated in 1988 that there are approximately 275 supported-employment agencies alone in Canada.)[83]

Often these non-profit, community-based agencies do not have core funding nor do they charge a fee for service. Rather, they might receive CAP cost-shared funding through the provincial government to provide sheltered training, and funding through VRDP and CJS/LFDS to provide counselling and to secure on-the-job training opportunities and follow-up services. The agency might simultaneously receive a project-based training purchase from EIC (to provide classroom skill training, work experience, job readiness skills and support for individual job searches), and funding under Employability Enhancement (to provide job readiness training, job finding and placement support). Through sustaining grants and contributions to specific research or development projects, National Health and Welfare and the Department of Secretary of State have also funded the development of these organizations' information-providing, referral, advocacy and outreach services.

"Counsellors talk over people's heads. You feel rushed and confused."
A consumer advocate

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[83] Annabelle Gary, *Supported Employment in Canada 1988: Final Report* (Winnipeg: The Canadian Council on Rehabilitation and Work, 1989).
Corporate-sector recruitment agencies are becoming more involved with people with disabilities as well.

PROBLEMS CONCERNING COORDINATION SERVICES

From counselling to information and referral, from job finding, placement, and follow-up services to support for self-employment and small business, this range of coordination services is essential in enabling people with disabilities to negotiate the systems and agencies that can provide access to training, education, income supports and disability-related services. However, there are a number of problems with how these coordination services are organized that can make it difficult for individuals to link into the opportunities they are seeking.

Conflicts between counselling and eligibility determination

In many cases, vocational counsellors determine eligibility for training and other services. Counsellors are heavily influenced by the eligibility criteria of the program to which they are attached. These criteria can make it difficult for people with disabilities to qualify for training, education and job placement opportunities. In addition, the wishes and interests or needs of the client may not be given adequate consideration because of how eligibility criteria, administrative pressures and other factors affect counsellors' decisions.[84] In many cases, vocational counsellors also have difficulties providing applicants with an overview of the full range of vocational options. Counsellors often do not challenge the way eligibility criteria are applied in their own and in other systems to exclude applicants from opportunities. As a result, training, education and job placements may be denied, or inappropriate arrangements may be implemented.

It is critical that vocational counsellors be able to challenge the low expectations, restrictive eligibility criteria, and other barriers across delivery systems that have excluded people with disabilities from jobs, training and education. At present, it is difficult for vocational counsellors to act in this manner. However, by separating counselling services from eligibility determination, vocational counsellors might be empowered to encourage meaningful vocational goals and challenge assumptions and misconceptions about the capacities of persons with disabilities. They might also be empowered to act as a check against the narrow and arbitrary determinations of eligibility that all too often have ended in exclusion.

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[84] Issues concerning eligibility for training, educational and employment opportunities are examined at some length in Chapter 6.

Conflicts between counselling and assessment

There is a disturbing increase in assessment procedures without a corresponding investment in vocational counselling services. In order to qualify for training under EIC and VRDP programming, individuals may first need a formal assessment of their disability and performance levels. The process can be time-consuming and, in some instances, involve travelling considerable distances. Assessment agencies are seriously backlogged, so the process may take months. Yet government-based employment counsellors may not be able to begin the counselling process until an assessment has been completed. It is not unusual for individuals to wait a year

> "People are often told by counsellors, 'You can't work, you can't handle the stress. Why not just give it up?' This message is delivered by mental health professionals, social workers, day program workers, vocational staff, rehabilitation workers and treatment staff. The environment of low expectations provides few opportunities for people to get help they need for training and work."
>
> A consumer advocate

"What you can and cannot get in terms of coverage depends on your social worker."
A consumer advocate

or longer to find out whether they qualify for training and other employment-related supports. And there is no guarantee that training or other services will be available, let alone appropriate, after the assessment. Not surprisingly, people frequently give up trying to gain access to a labelling process that is, in the words of one informant, "demeaning ... some will not go through the ... process. Some get labels like dull, normal, borderline. This is insulting."

Counselling services provided prior to assessment might reveal that individuals require services that do not exist or are costly to provide. However, if people can be screened out at the assessment level, the need — and the cost — of these services will not be detected. Yet representatives from EIC, vocational rehabilitation departments, social assistance departments and disability organizations consistently view the shortage of counselling and planning support as a key barrier to employment and training opportunities.

Another problem with the assessment process is the relationship between government and community agencies contracted to provide assessment services. Canada Employment Centres and government units responsible for administering provincial/territorial vocational rehabilitation programs can request and purchase assessments from community agencies. Provincial government departments contract with the same agencies to deliver sheltered training and employment. However, these agencies are often in search of funding and contracts to maintain their own operations. Therefore, there is an economic incentive for them to retain workers with the vocational skills required for workshop production and marketing of goods and services. Consequently, conflicts of interest sometimes arise where the employing agencies also assess individuals' employability and training needs.

Lack of mandated responsibility for provision of services

One of the factors limiting delivery of effective coordination services is the lack of appropriate mandates. Who should have responsibility for funding and delivering these services: the education systems; EIC; employers; the shadow system?

The fact that this question of responsibility has not been adequately addressed is perhaps most evident in the secondary and post-secondary education systems. Students require coordination services to manage the educational environment and to move on to other educational, training and employment opportunities. Because school boards have not traditionally set school-to-work transition programs as a major priority, funding is usually unavailable for such programs. As a result, the task of coordinating the move to further training or work is usually left to parents and to community agencies providing follow-up vocational training and brokerage services (individual planning consultations and assistance in obtaining needed services).

Provincial governments are increasingly putting special-needs counsellors in community and vocational colleges, where a significant proportion of classroom-based training is delivered. Many of these counsellors have developed an understanding of disability issues, but often lack adequate expertise in needed accommodations. Further, some of these counsellors are responsible not only for students with special needs, but for other target populations and tasks. Therefore, they may well have limited time and expertise to spend fulfilling the needs of students with disabilities. In addition, special-needs counsellors are often placed in the post-secondary system but outside of governmental or administrative policies which will ensure the accountability of the educational institution for providing necessary accommodations. Without such accountability, there has been a lack of commitment to make instructional methods, curriculum and classroom settings more accommodating. Voluntary organizations with the expertise to perform a consultancy role in this area often lack sufficient personnel and resources to service all requests. This often leaves it to administrators in education to ensure inclusion of students with disabilities in programming and to help students make the transition to the labour market. But aggressive policy and leadership in this area has historically not been a major priority in post-secondary education.

Similarly, Canada Employment Centres have not been effective in delivering coordination services to persons with disabilities, largely because they have not been held accountable for achieving such a mandate. Problems include: poor physical and sensory access to the centres; long waiting periods to see a counsellor; insensitivity of counsellors to disability issues; counsellors and other personnel simply unavailable when needed; information not provided in accessible ways; and low expectations of counsellors about the labour market potential of persons with disabilities. Indeed, people with disabilities are about one-tenth as likely as non-disabled job applicants to get job placements through CECs.[85] It is not surprising, then, that people with disabilities simply do not go to CECs when outreach and other agencies providing information, referral, counselling and placement are available.

However, the shadow system of community agencies that provides these services is not universally accessible to persons with disabilities. No network of agencies with expertise in vocational counselling and job placement will ever have the geographic coverage of CEC offices. Therefore, while community agencies are important to maintain and strengthen, their presence is a poor excuse for CECs to ignore the need to provide more effective services for people with disabilities.

> "Outreach organizations do not get the same training as the CECs. They are not linked to computer access to available jobs. There is a lack of dollars for their administration."
> A consumer advocate

[85] Figures were obtained from Employment and Immigration's 1988-89 *Annual Report.*

It may be practical to strengthen the specialist organizations in their role of assisting individuals to develop vocational and other plans. Then the mainstream systems such as EIC can deliver properly designed training and job placements in accordance with those plans.

If the community-based shadow system has proven much more effective than the mainstream systems, they have not been given a solid mandate for this task, and consequently do not have anywhere near the resource base of the mainstream system. The agencies making up the shadow system are typically underfunded and under constant threat of cutbacks. They often survive on short-term and project-based funding from multiple sources, diverting scarce staff resources from serving clients to acquiring funding. Increasingly, they are having to rely on UI-based funding, which means they are under pressure to shift their focus away from the many individuals who need their services but who do not qualify for UI. Those who must use shadow systems do so because they are at a disadvantage and the mainstream system has not addressed their needs. Yet the limited resources of the shadow system restrict the number of clients it can serve, creating greater disadvantage.

The EIC decision to discontinue a useful level of special-needs counsellors for clients with disabilities makes it all the more critical to address the shadow system at a policy level. This is even more urgent as these agencies are becoming bogged down in service delivery. Community-based agencies are required to ensure that funded individuals become independent of follow-up support unless they are in sheltered training. Many individuals cannot become independent in that sense, and some agencies hold that such requirements are discriminatory on the basis of disability. They therefore reject the use of such criteria. The unintended outcome of the agencies' stand can be that they try to provide ongoing follow-up support to individuals long after they cease to receive funding to provide that service. (The agencies fear that if they withdraw support the placement will fail and the individual will again be unemployed.) However, agencies must simultaneously take on more clients under new project funding if they are to maintain their financial base.

Some government funders hold that these agencies simply need to withdraw support and encourage employers to take up a larger share of the mandate for provision of services to coordinate supports, accommodations, etc. However, the agencies have few resources to work with employers to effectively hand over the coordination role. They also perceive that some individuals will always require outside support and coordination services. Small employers in particular have difficulty playing these roles alone. Therefore, unless the agencies provide external assistance, employers will probably not hire individuals needing support.

Inadequate and tenuous linkages

The effectiveness of placement and referral agencies hinges largely on how well connected they are with people with disabilities and with training institutions, funders and employers. Many community organizations lack these linkages.

The lack of connection between organizations, employers, the local Canada Employment Centre and other government agencies can make the organizations that provide coordination services ineffective disseminators of information about training options. Moreover, information on training is not always provided to agencies in a timely manner (e.g., through direct computer linkage, etc.), or in a medium (e.g., audio tape, braille, large print, plain language, etc.) that agency staff have ready access to and can effectively disseminate to clients.

Similarly, coordination services provided through secondary and post-secondary educational systems often have weak links with students with disabilities, employers,

"Under LFDS, EIC counsellors are going to be required to spend more time on UI claimants."
A senior EIC official

governments and other stakeholders in employment. With the Cooperative Education Program and other interventions under the Youth Initiatives Program of EIC, federal-provincial youth strategies, and VRDP cost-shared and independent provincial initiatives, it should be possible to develop more effective delivery of these services through the educational system. These sources of funding could also be used to expand the network and role in cooperative education of outreach agencies and other disability organizations presently providing information, counselling and placement services.

Barriers to generic financial and business resources

Those wishing to gain access to credit and business planning support for the purposes of self-employment may face enormous barriers. Because many have been excluded from the labour market and their potential has been underestimated, they are not seen by financial institutions as credit-worthy. They also have difficulty finding others with business expertise willing to assist them in preparing viable business plans. The ongoing management and other forms of business support (e.g., marketing) they may require simply because of their disability, are not fundable under the policy and program arrangements described in this report. Yet the fastest area of growth in jobs is in self-employment and small business development.

A few agencies have begun to extend their traditional roles as supported employment agencies and are providing the support individuals need to become self-employed and to start small businesses. The coordination support such agencies provide includes linking with financial institutions and providers of business planning, marketing and technical support. These are the linkages that CECs are not equipped to provide.

In summary, if people with disabilities are to move from secondary school or unemployment on to further education, training or jobs, and to make similar transitions throughout their lives, a variety of coordination services are needed to assist individuals to realize these goals. These services provide people with important linkages to funding and service delivery systems. For individuals seeking self-employment, the services could also help them make the linkages to financial institutions and business resources.

Yet the current system for the funding and delivery of coordination services is highly complex, fragmented and piecemeal. It lacks an adequate funding base, and is without a guiding policy framework. The consequence is a system plagued by conflicts of interest and lacking in mandated responsibility for the funding and delivery of services. Because of those problems it generally provides individuals with only tenuous and inadequate linkages to employers, post-secondary educational and training opportunities, and the needed supports and services. It can even function as another layer of barriers to employment that people with disabilities must cross.

This study has made clear that responsibilities for funding and for delivering personal income support, goods and services in the area of employment and disability will likely continue to be managed across a very complex system of governmental, voluntary and private sector units and agencies. The coordination services necessary to enable people with disabilities to gain access to this system must, therefore, be seen as a necessary element of the funding, policy and service delivery structure. Efforts are necessary to disentangle the network of coordinating agencies, to strengthen the agencies with expertise in disability and employment, and to ensure that generic agencies at risk of losing this expertise retain it. Steps also need to be taken to remove the conflicts of interest inherent in the present arrangements. Otherwise, mainstream employment for people with disabilities is likely to remain elusive.

"The community organization is prepared to deliver training, job coaching and so on. But the EIC grants run out. Staff are laid off, notwithstanding the success of the program."
A consumer advocate

CHAPTER 8.

EARNINGS, OTHER INCOME ISSUES AND LABOUR FORCE PARTICIPATION

Many persons with disabilities have costs for expensive goods and services related to their disability. Prescription medications, for example, might cost several hundred dollars a month, as might support services for independent living. The purchase and maintenance of disability-related aids and devices is often costly as well. While it would be incorrect to conclude that all people with disabilities need all of the items described in Chapter 5,[86] it usually costs more to live with a disability than without one, and these additional costs are not optional. Securing a stable, adequate income to address these costs is therefore a necessity.

THE FAILURE OF THE LABOUR MARKET TO ADDRESS BASIC AND DISABILITY-RELATED NEEDS

This report has shown that people with disabilities have difficulty, for many reasons, in gaining access to the labour market. For those who do have jobs, a number of problems limit their ability to meet the costs they face. These problems can, in turn, leave employed people with disabilities at risk in the labour market and discourage others from attempting to enter or re-enter the labour force.

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[86] For example, only 12.5 per cent of working-age people with disabilities require assistive devices *and* assistance from others with daily living activities *and* prescription medications.

Inadequate earnings

Only a minority of persons with disabilities find jobs. This is the single most important reason why so few people with disabilities are in a position to defray basic and disability-related costs through earnings. However, even among those who do find jobs, most earn less than non-disabled workers. As the following table shows, the median income for non-disabled earners in 1985 was between $15,000 and $20,000. For earners with disabilities, the median income was between $10,000 and 15,000.[87] Earners with disabilities were considerably more likely to have job incomes below $5,000.

Table E. EARNINGS OF WORKING-AGE CANADIANS, WITH AND WITHOUT DISABILITIES, WHO WORKED IN 1985[88]

	NON-DISABLED EARNERS %	EARNERS WITH DISABILITIES %	EARNERS WITH MODERATE AND SEVERE DISABILITIES %
TOTAL 12,037,000	100.0	967,000 100.0	166,000 100.0
< 0 (i.e., loss)	0.4	0.8	1.3
$0	2.5	5.2	6.0
$1-999	4.6	6.5	5.9
$1,000-2,999	8.8	9.1	10.2
$3,000-4,999	6.3	7.2	6.2
$5,000-6,999	5.9	5.2	4.9
$7,000-9,999	8.3	7.7	8.3
$1,0000-14,999	12.2	*11.1	*13.0
$15,000-19,999	*11.6	10.4	12.2
$20,000-24,999	10.3	10.4	12.0
$25,000-29,999	9.2	8.1	5.8
$30,000-34,999	6.5	7.6	6.5
$35,000+	13.4	10.7	10.7

* Median earnings range.

Not only is there an earnings gap, there are the additional

[87] The median income is the dividing line between the 50 per cent of the population who earn more and the 50 per cent who earn less than this amount.

The median income of people with disabilities who were employed in 1985 *and* in *mainstream* jobs at the time of the 1986 HALS survey falls into the same range as those of non-disabled earners: between $15,000 and $20,000. This points to the earning potential of individuals with disabilities who manage to secure and retain a stable attachment to the mainstream labour market. However, persons who were working in 1985 and were in mainstream jobs at the time of HALS, but who had a work limitation at the time of their job interview (i.e., were not with employer when work limitation began) had earnings in a lower bracket: between $10,000 and $15,000. This points to the problems individuals have in getting through the job interview and gaining access to and retaining a well paying job in the mainstream labour market.

[88] The 967,000 people with disabilities who were employed at some point in 1985 is a number well below the 712,000 who indicated they were em-

costs associated with disability. As the next table shows, a significant proportion of earners — roughly one-third — face non-reimbursable costs related to their disability. This remains the case regardless of earnings. For people with moderate and severe disabilities, who are among those most seriously under-represented in the labour market, the situation is even more serious. While their median earnings may fall within the same general range as other employed people with disabilities, they are even more likely to have incomes below $5,000 and to face non-reimbursable disability-related costs.[89]

Table F. WORKING-AGE CANADIANS WITH DISABILITIES WHO WORKED IN 1985: PROPORTION FACING NON-REIMBURSABLE DISABILITY-RELATED COSTS, BY EARNINGS BRACKET

	EARNERS WITH DISABILITIES	EARNERS WITH MODERATE AND SEVERE DISABILITIES
	NON-REIMB. EXPENSES %	NON-REIMB. EXPENSES %
TOTAL	34.4	44.9
< 0 (i.e., loss)	49.3	75.5
$0	30.7	47.8
$1-999	36.1	37.6
$1,000-2,999	35.6	46.8
$3,000-4,999	31.2	41.0
$5,000-6,999	32.2	34.3
$7,000-9,999	34.3	55.4
$10,000-14,999	41.8	47.7
$15,000-19,999	36.4	48.4
$20,000-24,999	32.6	44.6
$25,000-29,999	34.5	43.0
$30,000-34,999	31.8	41.2
$35,000+	30.9	42.4

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ployed at the time of the 1986 HALS survey. The difference seems due largely to the fact that many who had jobs in 1985 had short-term positions and were no longer employed at the time of the HALS survey, or had simply dropped out of the labour force sometime between when they last worked in 1985 and the HALS survey.

[89] Only 19.1 per cent of the latter group of people who were working full- or part-time for 49 weeks or more that year received disability pensions or benefits to help defray these costs.

For those in sheltered workshops, the problem is slightly different. Some provinces/territories provide employers with an exemption to the labour code, enabling them to pay less than minimum wage to persons with a mental handicap or other disabilities. The exemptions are given mainly to employers who operate sheltered workshops or activity centres, usually defined as centres providing rehabilitation. For example, Saskatchewan legislation identifies people who have an "earning capacity [that] is impaired by social, physical, or mental handicap"[90] as people who can be paid much less than minimum wage by workshop operators. Similar provisions are found in the legislation in many other jurisdictions in Canada.

Some people have viewed the minimum wage exemption as a fundamental violation of the right to equality in employment. Others are concerned about the lack of control employees in sheltered workshops have over their earnings and the disincentive this creates to employment. Many workshop employees are required to surrender their earnings to group home operators, family members, or other people who function as trustees.[91] Under such arrangements, a wage is little incentive to take a job.

Some people have proposed that workshops be closed altogether and that people be paid according to their levels of productivity in the competitive labour market. Government wage subsidies would make up the shortfall between the payment from the employer and minimum wage. The central problem remains, however: workers with disabilities would be earning at most the minimum wage, which is generally inadequate to cover the costs of living with a disability. What would be the incentive to work in the open labour market in this scenario? Given that people in workshops generally have better protection than others against non-reimbursable disability-related costs, how would the income gap be addressed when they move into the open labour market and lose that protection?[92]

[90] Section 16(1)(a) of the Saskatchewan *Labour Standards Act.*

[91] Parents and operators of special-care homes or residential-care facilities function as trustees of those under their care where provincial welfare administrators determine that the recipients are not *competent* to control their own finances.

[92] The proposal raises other issues as well. Do people with disabilities have a right to minimum wage only as long as they meet certain productivity levels? How might productivity be assessed? How would one assess the requirements at different jobs and workplaces? How would the presence, absence or adequacy of supports in the workplace be measured? How would the impact of disability-related supports on productivity be assessed, and how would the failure of employers or public programs to make these supports available be factored into the productivity assessment? And, most important, how could one justify such an assessment for workers with disabilities but not the general labour force?

> "I felt like I was in a great big jail. We're tired of getting only dirty, menial jobs ... Sure some people don't want to leave workshops, they've been there so long. They've been told they can't get a job anywhere else by the staff, and so they're intimidated into staying." A consumer advocate

Access to employee benefits

Employee benefits create another problem which puts people with disabilities at risk or keeps them out of the labour force. People with disabilities may be refused jobs if it appears to employers that they would place unusual demands on employee-benefit programs. Potential employees may be required to agree to smaller benefit packages than other employees, or to packages inadequate to address disability-related needs. The fact that employed individuals with disabilities are more likely to face non-reimbursable health and medical service expenses than people who are not active in the labour market leads to two possible — and unacceptable — choices: accept a less-than-adequate employee benefit package and try to absorb the cost of taking a job; or turn down paid employment in favour of total reliance on public income support programs.

Individuals who take the risk of working take another risk as well: problems associated with disability could flare up unexpectedly. If left unattended, they could affect job performance. Without adequate employee benefits, however, workers either have to bear these costs or allow the problems to escalate, perhaps to the point where the person becomes unable to hold onto the job. Faced with such real possibilities, individuals may opt to remain outside the workforce, where access to disability-related supports is less tenuous under some programs.

Insecure jobs

The limited duration of the jobs to which many people have access is another factor determining whether earnings will cover basic needs and the additional costs of disability. While employed persons with disabilities are slightly less likely than persons without disabilities to have full-time jobs, they are more likely to be working in full-time jobs lasting less than six months. Government subsidies to employers and employment programs provide wage supplements to enable individuals to participate in on-the-job training or work. Again, however, these subsidy programs frequently do not result in job security and long-term adequacy of employment earnings, as discussed in Chapter 6. People often move from job to job or become unemployed as the subsidy ends and employers lay them off. If having a job is likely to mean working for only a brief period of time, securing earnings adequate to address basic and disability-related costs is a major dilemma.

> "In the prairie region; many companies are going broke. The prospect of taking work with an employer that might go under is frightening to many because they have to risk their pension benefits in order to do this. Why take this gamble?"
>
> An advocate

Whether their disabilities cause people to quit, or employers lay them off, or it is in the nature of the jobs to which they have access, people with disabilities are more likely than other persons to have difficulty getting and keeping jobs and obtaining adequate incomes. Even if they obtain long-term employment, they are likely to be in entry-level positions and have earnings that are inadequate to cover basic needs and the additional costs of disability. They may not be fully covered by employee benefit schemes for the costs arising from disability. For many persons, therefore, employment fails to address the economic issues they face.

Simply having a job also leaves unanswered a basic philosophical question raised by people with disabilities: even if they could cover the additional costs of disability through job earnings, is it fair for society to expect them to do so? Where job earnings are used to cover these additional costs, the remaining disposable income for disabled earners as compared with non-disabled earners in the same earnings bracket is often dramatically lower. The resulting inequity and financial havoc for individuals and their families are major issues. The point has been made by informants for this study and consumer advocacy groups that people with disabilities should not be left on their own to deal with what often amounts to ongoing financial crisis. Instead, society-at-large has an ethical responsibility, and should have a legal responsibility, to shoulder the disability-related costs.

DISABILITY-RELATED INCOME PROGRAMS

The challenge of addressing disability-related costs has been recognized at a policy and program level. Many programs have been implemented to meet the challenge. However, rather than adopting a unified, coherent approach, Canadian governments have evolved a complex patchwork of income security arrangements. These target mainly people who cannot gain access to the labour market or who have fallen out of it or who are actively looking for work. Many of these programs provide cash transfers and income in kind (i.e., goods and services) that can help address basic and disability-related needs. For those who have to rely on this "system," however, there can be many barriers that thwart participation in the labour market.[93]

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[93] Descriptive material and an identification of key problems inherent in Canada's system of disability income security have also been dealt with extensively elsewhere. See, for example, The Roeher Institute, (Leon Muszynski), *Comprehensive Disability Income Security Reform* (North York, 1992); Health and Welfare Canada, *Inventory of Income Security Programs in Canada* (January 1988); The G. Allan Roeher Institute, *The Power to Choose* (Downsview, 1991); The G. Allan Roeher Institute, *Poor Places* (Downsview, 1990); The G. Allan Roeher Institute (S. Torjman), *Income Insecurity: The Disability Income System in Canada* (Downsview, 1988); Leon Muszynski, "Improving on Welfare," *Policy Options*, Vol. 9, No. 2 (March 1988); and Terence G. Ison, "Human Disability and Personal Income," *Studies in Canadian Tort Law*, ed. Lewis Klar (Toronto: Butterworths, 1977).

The system is really a patchwork of:

- insurance programs, including Workers' Compensation, the Canada/Quebec Pension Plans, auto insurance, private long-term disability insurance, and Unemployment Insurance Sickness Benefits;
- tort actions; and
- non-insurance support programs, including welfare programs, the tax system, and training/educational allowances, grants and loans.

Insurance programs

Insurance programs compensate for lost income or wages. The most important social insurance programs for individuals who experience physically disabling accidents or illnesses that make them unable to continue working are the Workers' Compensation schemes and the Canada/Quebec Pension Plans. There is, in addition, long-term disability insurance provided by private insurance companies offered individually or on a group basis.

Workers' Compensation is provincially based but administered by independent boards and funded through premiums on employers. Approximately 70 to 90 per cent of the labour force is covered by Workers' Compensation, depending on the jurisdiction. There are, however, limitations to eligibility that exclude a large proportion of people from coverage. Eligibility for Workers' Compensation requires that the disabling injury or illness be certifiably workplace related, i.e., employees injured or disabled during the two-thirds of the day when they are *not* at work are *not* eligible. It can be extremely difficult to ascertain whether factors in the workplace have caused the individual's disability, or whether factors beyond the workplace contribute to conditions that became apparent in the workplace. Nor is the program geared for the large numbers of people with disabilities who are not wage earners.

"The poverty that is assured by the income system adds to the depression and troubled mental state."
A consumer advocate

The Canada/Quebec Pension Plan (C/QPP) is a social insurance retirement plan. It also pays disability benefits to pre-retirement individuals who experience severe and permanent disabilities, as well as a surviving spouse's pension, and a disabled contributor's child's benefit. Earnings-related contributions are compulsory for most employed and self-employed individuals between 18 and 65 years of age.

Criteria for C/QPP disability benefits are restricted to "severe and prolonged mental and physical disabilities." Partial disabilities or temporary total disabilities are not covered. Because eligibility requires earnings-related contributions, only people with an established earning record can receive benefits. People with no earnings record, which would include large numbers of people disabled from birth or a young age and most people with intellectual impairments, are not eligible.

Road accidents are a major cause of physical disability. Auto insurance is the main system of compensation for reduced capacity to earn as a result of injuries sustained in road accidents. Programs vary from province to province. Partial no-fault systems of auto insurance have been adopted in Ontario, Manitoba, Saskatchewan and British Columbia; a completely no-fault system operates in Quebec.

No-fault plans are a considerable improvement over fault-based systems. However, benefits in most provinces are low, partial disabilities are not covered and there are delays in paying out benefits. The debate rages over who should run auto insurance: government or the insurance industry. The more relevant question might be whether there should be auto insurance at all with respect to personal injury compensation or whether some other more comprehensive and inclusive plan should deal with this problem.

For people who become disabled outside of the workplace

"People are afraid of losing CPP if they do 'productive work,' even as volunteers. This creates trepidation around participating in voluntary activity."
An advocate

and not in a road accident, the major public insurance program is the C/QPP disability benefits described above. However, these pay only for serious and prolonged disabilities, and the benefits are generally far below the beneficiary's previous earnings. To fill the gap, private long-term disability plans (LTDs) have been established, but they are not mandatory, covering only about one-half of Canadian workers. In addition, while they provide relatively generous benefits for a much broader range of disabilities, LTDs — like C/QPP — primarily provide compensation to people with illness-related disabilities.

Unemployment Insurance plays an important role in providing short-term benefits to people with disabilities as a result of illness or accident. Unemployment Insurance sickness benefits provide up to 15 weeks of wage loss compensation to insured workers who suffer a disabling condition and can prove it with a medical certificate. As mentioned in earlier chapters, however, UI benefits only apply to people who have had attachment to the labour force.

Tort actions

Personal injury awards through the court are available principally to people who experience disabling accidents where fault can be determined. Tort liability remains an important component of the system of disability compensation (except when the right to sue has been specifically removed, such as in the case of industrial accidents or in road accidents in provinces with no-fault plans).

Non-insurance supports

Welfare

Government programs provide benefits to people with disabilities in a variety of ways — cash income, tax reductions or benefits in kind, such as transportation or wheelchairs. Support can be provided simply because a person has a disability, or because a person with low income does not have any social or private insurance compensation or any other income.

The most important form of non-insurance support for people who have no other means of support is social assistance or welfare. It is administered at the provincial/territorial level. The federal government contributes to provincial/territorial welfare programs through the Canada Assistance Plan (CAP).

Training and employment-related supports available to individuals with a disability under CAP *assistance* provisions include allowances for the purchase of rehabilitation and homemaker services and for the cost of special needs items such as eyeglasses, hearing aids, orthodontic appliances, wheelchairs, and modified telephones. The *assistance* provisions also allow funding for employment-related items such as special clothing, tools or equipment. Funding for the purchase of supports under the *assistance* provisions can be provided directly to individuals to purchase the supports, or to government or private agencies which purchase these supports on an individual's behalf.

The *welfare services* provisions of CAP are different from the *assistance provisions. Welfare services* allow for cost-sharing the delivery of services by provincially approved agencies. Funding is provided to the agencies to deliver services rather than to individuals to purchase services. Training and employment-related services funded under these provisions include rehabilitation services, casework, counselling, assessment and referral, homemaker services, and administrative, secretarial, and staff training services related to the provision of these services.

"You can get more benefits that might help you around work – clothing, training, psychological counselling – if you are assertive with the regular welfare system. AISH (Assured Income for the Severely Handicapped) on the other hand is more permanent, pays more and allows the individual more control over personal spending. But it is often seen by people with disabilities as being 'the end of the line.' "
A consumer advocate

A key cost-sharing requirement under CAP *assistance* provisions is that recipients be deemed *in need*, i.e., that liquid assets be spent before a person becomes eligible. This means-test excludes large numbers of people with disabilities who have some limited assets but low or non-existent incomes, and who are not yet in extreme poverty. In addition, people with disabilities living with families are not entitled to support if the family's income is too high to pass the means-test. Earning exemption provisions allow deductions from welfare cheques for any earned income above allowable limits. In addition, individuals in receipt of earned or other income that places them above an allowable maximum may disqualify themselves entirely from income support.

Those eligible for services cost-shared under the *welfare services* provision of CAP include individuals defined as *likely to be in need*. This category is intended to enable the provision of welfare services to those who may have income and financial resources above the designated limits for the *assistance* provisions described above, but who are likely to be *in need* unless services are delivered under the *welfare services* provision. People with disabilities, once recognized as such by the welfare system, are considered *likely to be in need.*

Between 25 and 33 per cent of recipients of social assistance (depending on the province) are disabled. The majority of people with congenital or severe mental disabilities and young disabled persons typically rely on social assistance because they rarely have an established earnings record that would allow support under any insurance program.

The tax system

Two kinds of support that benefit people with disabilities are provided through the tax system. These are the *disability tax credit* and the *medical expenses tax credit.*[94] The disability tax credit is non-refundable and allows all Canadians to reduce their tax payable by 17 per cent of non-reimbursable out-of-pocket medical expenses exceeding 3 per cent of the tax payer's net income. Included within the medical expenses tax credit are the costs of full time attendant support services, and of part time attendant support up to a maximum of $5,000.

The disability tax credit is similar in that it allows people with disabilities to reduce their tax payable by 17 per cent of the cost of certain disability-related expenses, up to a maximum tax saving of $1,100 (federal and provincial tax) in 1992. To be eligible to claim the disability credit, individuals must have a severe or prolonged impairment that markedly restricts their ability to function for at least a year. This provision is useful only to income earners who are taxed.

> "We do acknowledge through CAP-shared funding of sheltered workshops that some individuals have a need for life-long support. But the way this cost-sharing works poses a disincentive to providing life-long support in competitive employment. The way things work now, people can get the support as long as they stay in the workshop. We can't give it to them on the job."
>
> A provincial government official

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[94] For an overview of income tax provisions related to disability, see Harry Beatty, "Answers to Your Tax Questions for the 1991 Taxation Year," *Arch-Type*, Vol. 10, No. 2 (March/April 1992), p. 3.

See also David Baker, *Tax Reform and People with a Disability, Discussion Paper*, prepared for COPOH (Toronto: Advocacy Resource Centre for the Handicapped, 1991).

People with disabilities can take advantage of both the medical expenses and the disability tax credits. However, the credits apply only to persons with taxable earnings. As well, those who claim the costs of attendant support under the medical expenses tax credit are not eligible to claim the disability tax credit.

Training/educational allowance grants and loan arrangements

A number of training/educational allowance, grant and loan arrangements are also in place to enable individuals in training or in educational programs to cover tuition and materials and basic living costs. Training allowances and subsidies are delivered through federal EIC programs, cost-shared VRDP and SAR programming, and Workers' Compensation programs, and to a limited number of C/QPP Disability Pension recipients. Arrangements for gaining access to these programs and to the funding they make available are discussed throughout this report.

An important source of post-secondary funding for students, disabled and non-disabled alike, is the Canada Student Loan (CSL) program and associated provincial educational grants. Through the CSL program, the federal government guarantees loans to qualifying students who lack the employment, credit or collateral for consumer loans. The program also enables students to defer the initial payment for several months, in theory until employment has been secured, and allows for up to nine and one-half years for repayment.

In order to qualify for a student loan, full-time students must be enrolled in the equivalent of 60 per cent of a full course load. Single students are also expected to contribute the equivalent of 45 per cent of the minimum wage for the summer break. For students who have been employed longer than the summer break, a contribution based on earnings is required.

Part-time students must be enrolled in the equivalent of 20 to 59 per cent of a full course load. A maximum of $2,500 is provided, which must be repaid within two years, beginning 30 days after the completion of courses. These loans are made available to very few

95 For a more detailed examination of post-secondary funding in Canada, see National Educational Association of Disabled Students (NEADS), *Study of Financial Assistance Available to Post-Secondary Students with Disabilities: Accommodating Individual Needs for the Future*, First Report (NEADS, 1992).

students — disabled or non-disabled — in any given year. Students who are unable to repay CSLs due to their disability can, with medical certification, recommend to the lending institution that the federal government repay the loan.

Provincial education governments have also, in some instances, established grant programs that students with disabilities can use for post-secondary programs.[95]

ISSUES CONCERNING DISABILITY-RELATED INCOME PROGRAMS[96]

The manner in which income security arrangements are organized creates many of the problems that individuals encounter in securing personal support services at home, in training/education, or on the job, and in securing the aids and devices, rehabilitation, transportation, counselling and the other services they require (see Chapters 5 to 7). Indeed, for many people the system around disability simply prohibits involvement in the labour market.

Each component program making up the disability income security system operates differently. The organization of these programs creates a strong likelihood that people will face non-reimbursable costs outside of these programs.

> "Medical, dental and assistive devices are covered under the disability pension. Fear of losing benefits is a factor in why people don't work." A consumer advocate

In addition, the terms and conditions under which adequate cost coverage is provided discourages or prohibits participation in the labour market. There are: problems arising from a range of restrictive criteria; delays in re-qualifying for adequate cost-coverage; effects of caseworker discretion; lack of program coordination across government departments; problems qualifying for funded training/education; the prospect of contracting a prohibitive debt; and the narrow range of funded options.[97]

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[96] Much of the following statistical analysis on income support and replacement programs revolves around persons with moderate disabilities aged 20 to 54. The focus has been placed on these persons because, in order to gauge what is happening to people under various programs, it is helpful to look at what is happening for groups of people who share similar characteristics. It would be hazardous to generalize about how programs operate if the analysis does not take into account the fact that the programs tend to address different age groups and levels of disability. Welfare programs, for example, tend to include higher proportions of older and more severely disabled persons than do some other programs.

Unless stated otherwise, much of the statistical analysis also looks at people receiving only one type of income support, i.e., their principal form of income support. While many people are receiving income support from several sources, this tack was taken to allow analysis of how the discrete programs are operating.

The prospect of facing non-reimbursable costs

The income security system around disability touches only a limited number of individuals who do or who may have disability-related costs. In 1986, among the 650,000 working-age people with disabilities who had non-reimbursed costs, only about 170,000 were receiving disability pensions or benefits.[98] Other than their own and their family members' resources, the remaining 480,000 people had no other identifiable means of covering the costs of goods or services relating to their disability.

Cost coverage depends considerably on where people happen to live (Table 35) and on the program from which individuals are receiving benefits. Where individuals have access to income security programs, and where the cost-coverage is good, individuals may well prefer to remain clients of those programs rather than taking their chances in the labour market — or they may feel they have no other option (Tables 36, 37, 38 and 39).

There is also the problem of qualifying at all for *any* disability-related pension or benefit. There were nearly 600,000 working-age persons with disabilities — nearly one-third of the working-age population with disabilities — who had no employment earnings in 1985 and who were not receiving disability pensions or benefits. The total personal income from all other sources for over half of these individuals was less than $1,000 for the year. The financial incentives for that large group of very poor people to seek access to the labour market or the disability income system were compelling. Evidently, however, comparatively few managed to get through the gates to either of those options.

[97] Another issue that may have a bearing on participation in the labour market for clients of welfare programs is the stigma that results from attachment to that system. This may cause people to think twice about applying for benefits; it may also pressure those who do qualify to find other ways of securing an income. An unintended irony, however, is that the stigma increases recipients' disadvantage in the labour market, thereby locking them even more securely to the welfare system.

[98] HALS 1986.

The terms and conditions of coverage

Under the disability income system, a number of terms and conditions affect whether individuals will get coverage for living with the costs of disability while also being involved in the labour force or in training/education.

Restrictive eligibility criteria for disability benefits: "Employable" or "unemployable"?

Eligibility criteria are pivotal in determining whether clients of the income support system around disability will have access to the labour market. The criteria also affect their concept of themselves as *employable*.

A key criterion operating across all provincial/territorial welfare programs, and in C/QPP programs, is that individuals must be identified as *unemployable* or as having *low employment potential* in order to qualify for disability-related pensions or benefits. A number of problems with this criterion were identified in Chapters 5, 6 and 7, and it is not surprising that it functions as a disincentive. Indeed, a very high proportion (71.2 per cent) of those whose principal form of income support was C/QPP have identified themselves as completely prevented from working. Where welfare is the principal form of income support, 56.9 per cent of recipients aged 20 to 54 with moderate disabilities and less than high school graduation consider themselves completely prevented from working because of their condition. Only 32.9 per cent of those in the same age group, with the same level of disability and education, but not receiving disability pensions or benefits, hold a similar view. In other words, the welfare recipients are about twice as likely as those not receiving pensions or benefits, to consider themselves unable to work.[99]

The terms and conditions for delivering goods and services often classified as health-related illustrates how attachment to social security discourages people from working, and even discourages people from feeling able to work. Device users whose expenses are covered by C/QPP and combined social security programs are likely to be outside the labour force and to consider themselves completely prevented from working.[100] (Table 40) In contrast, device users whose costs are being adequately covered outside of income security programs are much less likely to consider themselves completely prevented from working. The same is true with regard to medication users: some programs that provide adequate cost coverage for health-related goods and services are more likely than other programs to discourage labour force participation and to target individuals who feel they are completely unable to work.[101] (Table 41) It is also worth noting that a greater proportion of individuals using community services and receiving disability pensions or benefits consider themselves unable to work than persons using community services but not receiving disability pension or benefits.[102] (Table 42) The trade-off is income security: some programs (such as the disability components of welfare and C/QPP), while not picking up all of the costs relating to disability, at least offer relative continuity of income. In order to qualify for the most adequate level of coverage, however, individuals have to be identified as *unemployable*.

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[99] Of course, how these systems operate does not alone account for such differences. The varying education levels of clients and other factors have an important impact. However, the terms and conditions established under the income security system are among the critical factors affecting labour market activity.

A higher proportion of the welfare recipients examined in this particular comparison are younger than is the case among the non-recipients, although their disability falls within the same range of severity (moderate). Accordingly, the welfare recipients should be somewhat *less* likely to consider themselves completely prevented from working than the non-recipients. However, this does not turn out to be the case.

In some jurisdictions, the disability component of social assistance allows greater freedom to people designated *unemployable* than to regular welfare recipients to spend their income as they see fit. Aside from securing access to important disability benefits through that label, the prospect of greater freedom may be another incentive for individuals to allow themselves to be designated in that way.

Similarly, if people who were disabled in an accident are seen as *employable*, their settlement may be smaller than if they are viewed as completely incapacitated. They may therefore be reluctant to take part in training, rehabilitation or employment lest they jeopardize their insurance settlements. But settlements can take months or years, during which time individuals are losing their marketable skills and will be less likely to successfully reintegrate into the labour market.

> "If the doctor deems you unemployable, there is no pressure to work. But in order to secure the income you need, you actually want to remain classed as unemployable while working."
> A consumer advocate

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[100] The data were controlled for age and severity of disability.

[101] The data are controlled for age and severity of disability.

[102] This is true with the exception of WCB beneficiaries and beneficiaries under private disability insurance programs.

> "The social service system is a confusing, negative experience – like being in a maze."
>
> A consumer advocate

In summary, for those who want to risk participating in the labour market, the dilemma is to present themselves as *in need* enough to secure the required supports from the income security system, but not so in need that the training, vocational rehabilitation, and job counselling/placement system considers them *unemployable*. However, under most income security programs, persons are most likely to enjoy access to critically important disability benefits only if they first allow themselves to be designated *unemployable*.

Other restrictive criteria for disability benefits

Many persons fall between the cracks because their needs are not immediately apparent or are not a priority according to the system. People with *hidden disabilities* — such as episodic arthritis, disabling but not immediately apparent neurological conditions, skin ailments or learning disabilities — may not be eligible for disability benefits because their disabilities have not been recognized as bona fide or serious enough by the system. These people may be eligible for regular welfare benefits, but have to pay out of pocket for physiotherapy, neurological aids and other services that might support their participation in the labour market.

Even if the disability is identified by the system as bona fide, determining bona fide *needs* that are eligible for coverage is another issue. The line dividing those *most* in need and those *somewhat less* in need is based on a judgement call. Depending on how that judgement is reached, people can be left in a vicious circle: because their disability-related needs are not recognized by the system, they are not eligible for disability-related goods and services; but because they do not have these goods and services, participation in the labour market can be difficult or impossible. There are obvious

> "I can't live on welfare, and I'm not disabled enough to get on a disability pension. After I pay my rent I have only $34 a month."
> A consumer advocate

incentives, then, for individuals to try to qualify for the goods and services by presenting themselves as more disabled than they would otherwise need to if proper support was available through other means.

When individuals undergoing rehabilitation require income support to cover costs not directly related to their disabilities, the judgement of which needs are eligible for cost coverage is again an issue. In some regions, for example, large mental health institutions are virtually the only places where treatment can be obtained. Pressures on the job and during training/education can increase the risk of mental health problems and might result in institutionalization. Should this happen, the welfare department may not cover the individual's rent or mortgage because the department responsible for mental health is already covering the institutional shelter costs. Government's reluctance to pay two shelter costs is understandable. However, as individuals are not absolved from financial responsibility for rent or mortgage upon entering a mental health institution, they might literally lose everything by being institutionalized. Rather than place themselves in this kind of jeopardy, individuals may opt to forego a job, training or educational upgrading, and remain on income support.

A further disincentive to work results from the taxing back or claw back of earnings by the welfare system.[103] The tax back can

> "Job sharing is a good idea. But people who are employed part-time lose their disability benefits. People will stay on social security even if job sharing is more widely used until this problem is solved." A consumer advocate

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[103] See The G. Allan Roeher Institute (S. Torjman), *Income Insecurity* (Downsview, 1988), Table 2, for the allowable exemptions in various provinces and territories. That publication provides a more extensive discussion of issues around earnings exemptions.

be absolute: for every dollar earned above the exemption level individuals must pay the system back one dollar. The tax back may even be larger, if calculated on gross rather than net income, i.e., a full dollar must be returned to the system for every eighty cents or so of net pay. However, even if the tax back is imposed only on a portion of earnings above the basic exemption, the provision creates little incentive to become a wage earner, especially if one's earnings fall somewhere between the basic exemption level and the cut-off point beyond which people no longer qualify for any pension or benefits.

The tax back and cut-off points can affect people with disabilities in a unique way as it costs more to live with than without a disability. Therefore, people with disabilities may be less inclined than other recipients to earn, or more inclined to earn only an amount that will not jeopardize their standing with the system.

The likelihood of being a significant income earner while receiving pensions or benefits under programs such as welfare and C/QPP is remote. Yet people who manage to earn $3,000 or more in the same year that they receive pensions or benefits are much more likely than others to be employed in the following year. (Some will also find themselves becoming less reliant on income support in the process.) However, because of the difficulties people face in obtaining significant earnings at the same time as receiving income support, the likelihood of their ongoing dependency on income support remains high.

> "If you are on welfare, you can lose everything. Welfare does not pay for your rent if you are in hospital because of a psychiatric problem. And so you lose your home if you have a problem that takes you into the mental health system. People are very reluctant to put themselves at risk of catastrophic failure, which might happen in employment." A consumer advocate

Delays in re-qualification for disability benefits

The time required to re-qualify for disability benefits after employment ends is another significant problem under some welfare arrangements. Individuals may simply not be able to risk waiting weeks to re-qualify without income or protection against disability-related costs.

There is a similar problem with the time lag before adequate coverage of disability costs begins. Some welfare programs deliver higher disability-related allowances and certain benefits only after individuals are on regular welfare for a specified time. This creates economic risks in taking a job that might turn out to be short term only, or in taking training that lasts only a limited time and that fails to lead to a job. The prospect of waiting out the regular welfare system after this kind of job or training can again discourage individuals from taking advantage of these opportunities in the first place.

> "Under CPP, once you have been identified as a disabled person, your status is relatively stable. But if you work for a week or two, you can lose CPP because now you are *employable*. CPP income can be okay. Why gamble with this?" A consumer advocate

Caseworker discretion

Many disability benefits are delivered on a discretionary basis, which creates wide discrepancies across the country. Recipients often must figure out the benefits for which they might qualify and present a case to financial counsellors in their own favour. As a result, more knowledgeable and assertive applicants have an advantage in securing discretionary benefits, which might support their involvement in the labour market.

Lack of coordination across government departments

All in all, the safest route is often to find a decent benefits program and stay in it, if only because of the lack of program coordination between government departments. A bureaucratic problem arises when individuals are required to have benefits from one government department in order to receive benefits from another. For instance, a vocational rehabilitation department may require that individuals be receiving active treatment as evidence that they are potentially *employable*. However, the social assistance department may not be prepared to fund the treatment for individuals the welfare system has identified as being *unemployable*.

> "If you lose your job because of a personal crisis related to [psychiatric problems], you do not automatically go back onto your disability pension. Instead you have to go back to the beginning of the welfare route. The fear of this prospect makes many simply not put themselves at risk of failure."
>
> A consumer advocate

Dual or multiple disability is extremely common, yet public programs are often designed as if individuals have only one disability. As a result, the various government departments may "pass the buck" about which of them, if any, is responsible for funding these individuals. Some people with several disabilities, who could have marketable skills upon receiving training, are denied access to potentially helpful programs and supports. They have little choice but to remain on income support.

> "It is important that participants feel a sense of ownership in the program. If they do not have this they are likely to quit."
> An advocate

Problems in qualifying for funding for education or training

In terms of funding for training or education, some government departments cover the cost of adult education programs for persons with some disabilities. However, people with developmental disabilities are unlikely to gain access to those programs.

In most areas of the country, social assistance will provide fees, training allowances and course material costs for some training but not necessarily for general education, even though all education increases employability. Among working-age welfare recipients with disabilities who were not high school graduates, only 4.9 per cent were participating in educational programs in the spring of 1986. Only about half of these individuals were involved in programs at places other than special schools for persons with disabilities. Evidently, increasing low education levels of persons with disabilities has not been a welfare system priority for income support.

Indeed, people with higher education levels are more likely to be involved in educational programs, regardless of the source of income support. However, comparatively high proportions of auto insurance beneficiaries who are not high school graduates are enrolled in classes. This suggests that many who feel they need educational upgrading will seize the opportunity if they have the funding and there are no barriers.

However, the requirement that students contribute part of their earnings under the Canada Student Loan program is a serious barrier for people with disabilities: they are unlikely to find jobs and are therefore unlikely to be in a position to contribute towards the costs of their own education. Because they cannot do so, they do not qualify for the loan.

In the same way, it is virtually impossible for welfare recipients with disabilities to save the amount required to qualify for a CSL. Should they manage to do so, they may find themselves no longer eligible for welfare, at least for the duration of the loan or grant.

Because of a disability, an individual may take longer than a non-disabled student to complete the same course of studies. However, students normally considered eligible for CSLs and for SAR and CJS/LFDS job training allowances must usually be enrolled in full-time studies. That means people who do not attempt a full course load can find themselves ineligible for economic assistance. This requirement is difficult if not impossible for many people with disabilities to satisfy.

Student bursaries are available principally to academically "deserving" students. This makes it difficult for the large number of students with disabilities and disadvantages in high school to get funding — and the opportunity — for higher education.

The prospect of major debt

Among people with disabilities who do manage to enroll in post-secondary educational programs, many will require more time than others to complete a course of studies. As the costs of education are therefore likely to accumulate over a considerable period of time, the students are likely to carry a major debt load along with their diplomas.

The issue of debt load is critical: people with disabilities face limited opportunities in the open labour market to secure the earnings required to repay Canada Student Loans. While these loans can be written off, they are not fully forgivable. Students who do not know whether their loan will be written off until after contracting it are often wary to apply in the first place. But then, collection

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"Access to funding is impeded by red tape. Multiple certification is required by social services, vocational rehabilitation and EIC."
A consumer advocate

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might be initiated anyway some time after the debt is written off.

As well, students seeking a loan write-off must obtain a physician's certification that they are unable to work and unable to repay the loan. However, individuals may not be able to persuade a physician that their earnings are likely to be poor because of disability. The physician may consider individuals' functional limitations not to be severe, and that they theoretically could work and repay the loans.[104] The CSL system can then disregard a physician's assessment of ability to repay. Nor is the system required to look at the feasibility of loan repayment in light of the costs of disability, even where individuals have managed to secure employment.

The narrow focus of fundable training

Each province provides assistance to students with disabilities who qualify for vocational rehabilitation programs cost-shared under VRDP. As the focus is rehabilitation and enhanced employability, students most likely to qualify are those enrolled in courses with clear labour market orientation.

Disability-related funding for education also tends to be more available for some fields such as clerical training than others. Such funding conditions again limit the educational options of individuals with disabilities.

Inadequate levels of income support for training and education

The CSL program and provincial support, where available, do not make significant allowances for disability-related needs. Specific grants available for disability tend to be small. Training allowances delivered under EIC and SAR programming also tend to be low and short-term, and do not adequately take into account costs relating to disability.

As we have seen, obtaining an income adequate to cover basic needs and the additional costs of living with a disability is problematic. Jobs are hard for people with disabilities to obtain, and people who do not have jobs tend to be very poor. However, where people with disabilities are employed, their earnings tend to be low, employee benefit packages do not always pick up important disability-related costs, and the job often turns out to be temporary.

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[104] Such an assessment, of course, does not consider that even people with mild disabilities are significantly under-represented in the labour force. However, the physician has in effect been mandated to assess not only individuals' functional limitations, but the labour market — an area in which physicians seldom have much background.

> "We haven't made the policy decisions that we need to about how services to people with disabilities are going to be coordinated."
> A senior provincial government official

Reliance on the disability-related income support system brings with it other problems. Access to the disability pensions and benefits available under various programs can depend on factors as diverse as restrictive criteria, the discretion of individual caseworkers, the design and capacity of programs to deliver needed resources, conflicting and varying departmental responsibilities, and the design and delivery capacity of similar programs varying from one province/territory to the next. The result is confusion, incoherence and inequities that make it difficult for individuals to fulfill their needs when attempting to enter or remain in the labour force. It may simply make more economic sense for individuals to remain attached to the income support system than to risk participating in the open labour market. In turn, the income support system may, for a number of reasons, discourage people from holding jobs, or may simply prevent individuals from holding jobs while they have access to coverage for disability-related needs.

People seeking access to educational loans, grants or training allowances have difficulty qualifying for these. They face carrying a debt they may be unable to repay. They generally have access to only a narrow range of funded options, and are likely to find that the level of funding is not adequate for basic and disability-related costs.

All in all, the income programs that are in place around disability present major challenges to the labour market integration of people with disabilities. Despite the many arrangements that have been implemented and the enormous costs involved, the fundamental question remains: why can't the system be organized so people can be assured continuity of adequate income to meet disability-related costs while having the opportunity to be educated, to train, and to work?

CONCLUSION:

CREATING SUCCESS STORIES

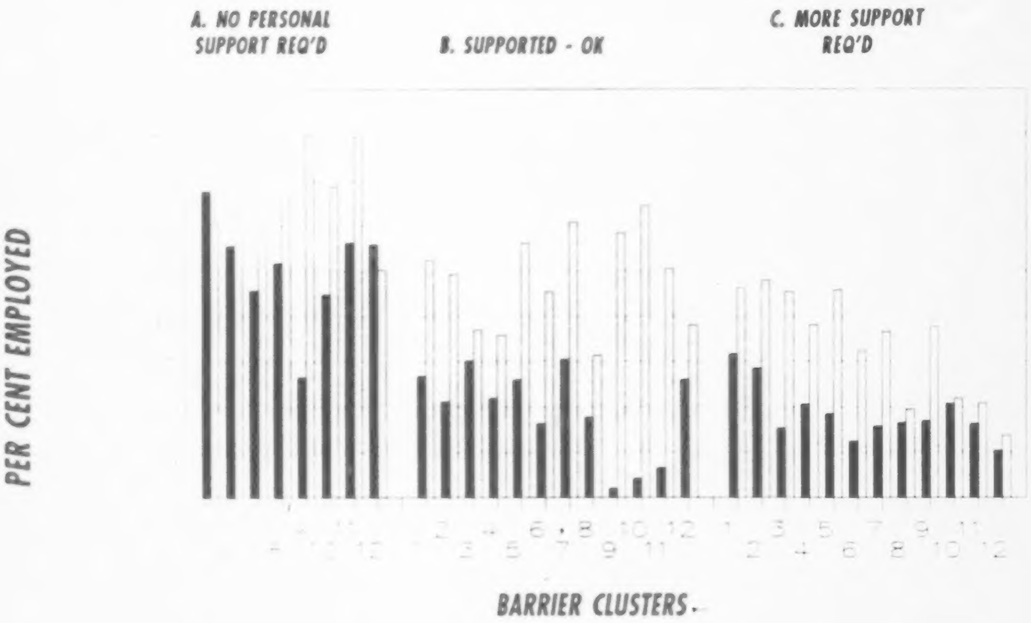
It is generally the case that, as people with disabilities face an increasing number of barriers — related to personal support, transportation, assistive devices and so on — they become less likely to be involved in the labour force and more likely to consider themselves completely prevented from working because of their disability (Charts 1 and 2, see pages 164 and 165). This occurs regardless of how severe the individual's disability might happen to be. Despite the provisions that have been implemented to enable greater participation in the labour market, this report has shown that the barriers people with disabilities encounter are innumerable. It is little wonder that they are so poorly represented in the labour force. This discouraging finding has serious implications for the policy and program framework that is drawn upon to address disability and employment issues.

In spite of the barriers, however, a significant number of people do overcome those hurdles. What is it about particular individuals that makes it possible?

To look at this question, a select group of individuals were identified using HALS data: working-age persons who have moderate or severe disabilities and who have had activity limitations for at least three years. They are currently employed, with take-home earnings of at least $15,000 a year. They also happen to be older than the general population of working-age people with disabilities.[105] In having jobs that pay at least as well as the median earned income for the general Canadian labour force, however, they are very much the exception among persons facing significant disadvantages — they comprise only 5 per cent of working-age adults with disabilities.

[105] The age of these people, as well as the severity and duration of their disabilities, are factors that would be expected to place these people at a significant disadvantage in the labour force (see Chapter 1).

Chart 1 **ADULTS (15 - 64) NEEDING ASSISTANCE AND/OR DEVICES: % EMPLOYED BY BARRIER CLUSTER**



Black bar = LESS THAN HIGH SCHOOL GRADUATION
White bar = HIGH SCHOOL GRADUATION OR BETTER

A. = no personal support required
B. = supported - okay (adequate personal support)
C. = more personal support required

PROBLEM W/ COMMUNITY TRANSPORT SUPPLY OR ACCESS?					
	NO		YES		
	KNOW WHERE TO GET INFO ON RIGHTS?		KNOW WHERE TO GET INFO ON RIGHTS?		
AIDS/DEVICES	YES	NO	YES	NO	
NOT NEEDED	1	2	3	4	
USED - OK	5	6	7	8	
MORE REQ'D	9	10	11	12	

Chart 2 ***ADULTS (15 - 64) NEEDING ASSISTANCE AND/OR DEVICES: # IN EACH BARRIER CLUSTER***

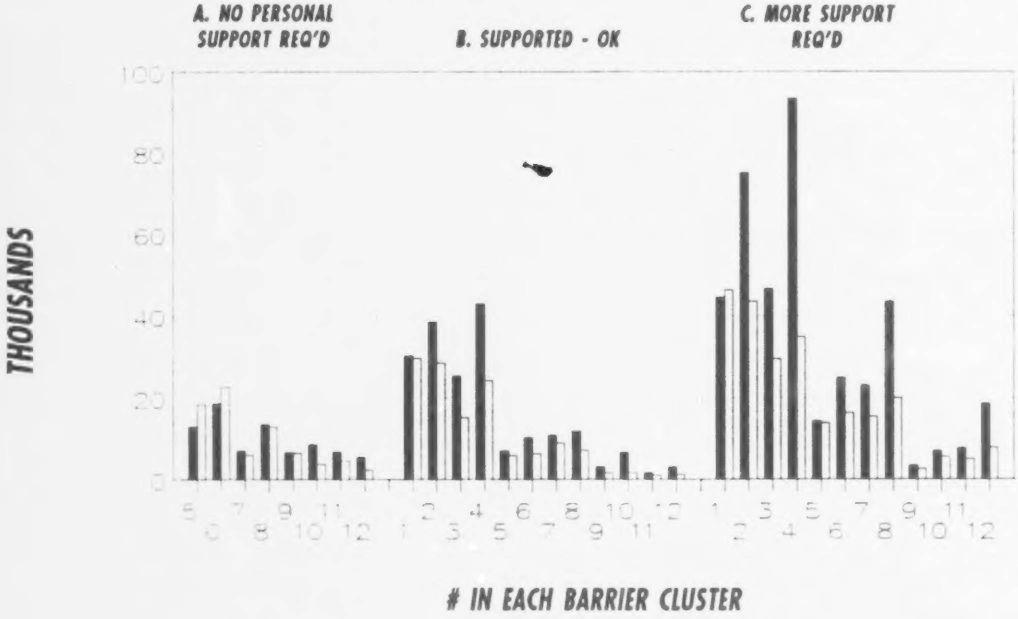


CHART 2 shows the large concentration of people with less than high school education, who do not require aids or devices but need more personal support with daily living than what they are receiving, do not know where to get information on their rights, and face transportation problems (cluster: black bar, C, 4). Many others face similar barriers, except transportation seems to be less problematic (cluster: black bar, C, 2). It is worth pointing out that the employment rate for these groups hovers between 20 and 30 per cent.

Many others face identical sets of barriers, but have support needs that are being adequately met (clusters: black bar, B, 4 and 2). Again, the rate of employment of these people hovers around 20 per cent.

If nothing else the graphs point to the overriding importance of access to education, access to transportation, and knowing what to do if confronted with discrimination in the labour market.

It is also worth noting out that there are very few working age adults with disabilities who have graduated from high school, whose needs for both personal supports and devices are being adequately met, who have no apparent problems with transportation, and who know where to get information on their rights (cluster: white bar, B, 5). However, the rate of employment for these people approaches 60 per cent -- only 10.7 percentage points below the national rate of employment in 1986.

Those in the latter group who were employed overwhelmingly (over 80 per cent) had disabilities in the moderate and severe ranges. They also had median annual earnings solidly between $20,000 and $25,000.

We refer to these persons — 88,000 in number — as success stories, and compare their situation with other groups. What do we know about these success stories?

- They can be found in all provinces and territories (Table 43), comprising a greater proportion of the population with disabilities in large cities like Toronto, Montreal and Vancouver (6.3 per cent); but they are also present in smaller cities and towns (4.6 per cent) and in rural areas (4.2 per cent).
- They are less likely than other employed persons with disabilities to have been refused a job because of their disability.
- Compared with other employed persons with disabilities, they seem to be relatively well informed about their human rights.
- They are more likely than other employed people with disabilities to be in workplaces that have employment equity or affirmative action programs. More than 12 per cent of people identified as success stories are in workplaces where these programs are known to exist (12.3 per cent). Only 9.7 per cent of others with disabilities and earning $15,000 or more are in workplaces that have these programs.[106] Only 7 per cent of all other employed persons with disabilities work in this kind of situation.
- They are more likely than others to be in workplaces where accommodations have been made for their disabilities. Over 11 per cent (11.4 per cent) of success stories are employed in situations where workplace accommodations have been made. Only 5.5 per cent of people with disabilities outside this group earning $15,000 or more are in similar situations, as are only 5.8 per cent of all other employed persons with disabilities.

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[106] These are employed individuals with mild disabilities and employed individuals who have had a severe or moderate disability for less than three years (i.e., they are recently disabled).

- They can be found across all occupational categories. However, while many people with disabilities find themselves in the service worker category, where there is considerable labour market growth, service workers are among those who are least likely to be success stories.
- They are more likely (12 per cent) than other employed persons with disabilities who earn $15,000 or more (7.2 per cent) to be self-employed.
- They (89.6 per cent) seem to have a stable attachment to the labour force (i.e., 40 weeks or more full or part time in 1986) comparable to all other persons earning $15,000 or more (91.3 per cent) and almost double that of other employed persons with disabilities (48.7 per cent).[107]
- They are more likely than other employed persons with disabilities who have lower earnings to drive a private vehicle to and from work. This means they are less likely than many others to have to rely on inaccessible community transportation services, or to need services that do not exist.
- About two-thirds of this group requires support from others in one or more daily living activities; about two-thirds of those require more support than they are currently receiving. They are, however, less likely (only 7 per cent) than many other people (20.1 per cent for others with earnings in the same range) to be receiving no support. A greater proportion (37.5 per cent) also seems to have access to community services for their support needs (9.5 per cent for others earning $15,000 or more and 16.3 per cent for all other people with disabilities).
- Those who require assistive devices for mobility, flexibility, hearing or seeing are more likely (80.5 per cent) than others (74.7 per cent for other people with disabilities in the same earnings range) to be receiving an adequate supply of these things.

[107] I.e., all other people with disabilities who are employed and earn less than $15,000 a year.

- They have jobs in spite of the fact that they are more likely than others to be paying non-reimbursable costs for medications and devices.
- Their educational attainments are considerably higher than most other people with disabilities (Table 44).
- Those who had their disability before completing their formal education are more likely than others to have returned to school for training or retraining.
- Those working for wages, salaries, tips or commissions are very likely to be in jobs where their employers offer on-the-job training or courses.
- They are more likely than others to have participated in the past three months in rehabilitation services.
- They are more likely than other employed persons with disabilities to have received disability pensions or benefits from some source in the preceding year. This means they seem less likely to be experiencing the disincentive effects of the disability income security system.
- They seem better grounded in, and connected to, their communities than many other persons, through informal personal networks, social activities and other contacts.

Persons identified as success stories are exceptions rather than the rule. Yet a number of factors seem to contribute to their participation in jobs yielding wages comparable to the rest of the employed population. Many of those factors are within the power of the community, through government, to manipulate.

If there are costs associated with making changes, there may also be important benefits. After all, when people are enabled to participate, rather than prevented from participating, in the labour force, they tend to have jobs, earn wages, pay taxes and circulate their disposable income through the community (i.e., defray the costs of the goods and services they require to participate in jobs).

If policy and program arrangements can be effectively orchestrated to create these success stories, then it is time to consider ways to make the exception the rule. To that end, a number of policy directions are recommended. No single policy or program initiative will counteract the barriers and disincentives preventing thousands of working-age Canadians with disabilities from gaining access to jobs. The entire policy and program framework must change.

HUMAN RIGHTS AND MEASURES TO ADDRESS LABOUR FORCE DISCRIMINATION

Increasing numbers of people are attempting to bring to human rights commissions the problem of discrimination as they perceive it; yet the commissions are referring only a fraction of these complaints to tribunals or boards of enquiry. The rest are stymied by technicalities, loopholes and gaps in the current human rights system. The system needs to be addressed.

If human rights commissions are to play the lead role in countering discrimination as it affects people with disabilities in the labour market, efforts should be made to increase their resources so they can effectively undertake this mandate.

BFORs/BFOQs are used as criteria to screen people out of jobs. Measures binding on society must be established that *ensure* people with disabilities have access to the opportunities (e.g., education and training, rehabilitation services, support services on the job, etc.) that would enable them to satisfy the BFORs/BFOQs.

If BFORs/BFOQs are to continue, greater consideration needs to be given to alternative ways a given job can be performed, and to the job requirement options that can be considered bona fide.

If it is to have its intended effect, the duty to accommodate must be more explicitly articulated and liberally applied. Furthermore, undue hardship relates principally to employers' capacity or willingness to make accommodations. It is too easy for employers to successfully claim undue hardship. Responsibility for making accommodations needs to be more broadly shared. The costs and responsibilities should be distributed more equitably and widely among employers, unions, governments and society-at-large. Measures need to be found to hold all stakeholders accountable.

The present system imposes the duty to accommodate in some jurisdictions but not in others, and the relationship between the duty to accommodate and BFORs/BFOQs also varies across jurisdictions. The resulting inequities should be addressed.

The present approach to issues of labour force discrimination and disability is inefficient and time-consuming. It is also potentially costly to complainants because it is largely complaint-driven on an individual case-by-case basis. A more efficient and pro-active approach needs to be found.

EMPLOYMENT EQUITY

The voluntary approach to employment equity has yielded only small gains. A mandatory approach should be adopted. Targets need to be clear, the achievement of targets be required, and effective monitoring, enforcement and penalty provisions adopted.

Existing participation target levels are unreasonably low and should be raised. Targets should take into account the severity and nature of the disability. By raising the targets so that a minimum of 10 per cent of the active labour force is people with disabilities, employers would be virtually forced to consider job seekers with a variety of disabilities and all ranges of severity.

The current approach focuses mainly on large firms, affecting only a minority of Canadian workers. The focus should be broadened to include small employers. Sectoral, geographical and other approaches for achieving equity aims could be considered so small employers can play a fair part without shouldering untenable burdens.

A more shared approach to implementing employment equity might involve establishing targets across a group of all employers within a geographic area and supporting them to work out cooperative arrangements to achieve targets. This might affect much larger numbers of persons with disabilities.

Sectoral targeting could build on existing priority-setting and dispute-resolution mechanisms between management and labour, which are in place in many sectors. These mechanisms could be used to sort out the measures required to accommodate individuals in workplaces and achieve the targets.

A framework might be developed to provide financial incentives to private sector employers to include persons with disabilities in jobs. These might be in the form of direct financial assistance or low-interest loans to employers, or through tax exemptions for expenditures employers make on accommodations. Recent changes to the income tax system, in fact, make it more possible for employers with the up-front investment dollars to pursue the latter option.

SUPPORTS FOR PARTICIPATION IN EDUCATION, TRAINING AND JOBS

Numerous individuals cannot get the supports (informal supports, services and aids/devices) they need to participate. Unless this basic supply problem is addressed, people with disabilities will fare no better in tomorrow's labour market than they do today. Greater and smarter public investment in these supports is required, as are new policy and funding arrangements that will ensure more equitable and less fragmented delivery of supports across the country.

New funding and policy arrangements are required that will assure portability of supports across job sites, and training, educational and other environments. These arrangements should also be designed to ensure that people with disabilities, like other Canadians, can move to those regions of the country where there are the greatest opportunities to take part in the labour market.

Unless there is a strong national legislative and policy framework for delivering disability-related supports, it is difficult to imagine how equity or portability will be assured.

The process of gaining access to supports is complex, in part because the delivery system is unnecessarily fragmented and complex. A more unified, coherent delivery system, with clearly established agencies and procedures for gaining access to that system, are necessary. Again, it is difficult to imagine such a system outside of a national framework.

Currently, access to essential disability-related supports is a matter of charity, and eligibility is usually determined at the discretion of caseworkers. New policy and delivery arrangements grounded on the principle of entitlement are required. The criteria that individuals must satisfy to qualify for supports should be clearly articulated and widely disseminated. More efficient and effective appeal procedures should also be established to enable individuals with disabilities to challenge the refusal of support.

The *employable* and *unemployable* criteria have been used both to deny essential supports and to deliver supports in ways that frustrate participation in the labour market. These criteria should not be used to determine whether individuals qualify for support. Criteria such as *need* or *disability* should be used instead.

Because the delivery of disability-related supports is not usually geared to individual demand, the supports are often not suitable to individual need. A more flexible delivery system that is geared to consumer demand is needed.

EDUCATION AND TRAINING

Large numbers of people with disabilities have low educational attainments. Steps need to be taken to ensure that people with disabilities have access to quality educational programming, can complete their formal education, and can use their education to the fullest.

People who become disabled after completing their formal education and people whose educational achievement is low are at risk of remaining outside the labour force. These people must be assured access to educational upgrading.

Disproportionate numbers of people with disabilities are ineligible for training because their educational achievements are too low. Less restrictive eligibility criteria need to be adopted.

Funding for training increasingly requires recent participation in the labour force. Programs are therefore inaccessible to many thousands of people with disabilities who have not been in the labour force. By itself, UI is not an acceptable funding base. It is essential that alternative mechanisms be established to ensure that the funding for training is in place for all who require it.

As with social services, the *competitively employable* and *unemployable* criteria make it difficult for those who most need access to supports and opportunities to obtain these and training/education through vocational counsellors. Such distinctions should be abolished. There are many other factors considered in vocational counselling that affect eligibility and bar many individuals from gaining access to training, education and disability-related supports. These are discussed in this report and must be addressed.

Funding arrangements for vocational training often require trainees to remain outside the mainstream labour market. Policy, programs and funding that enable trainees to integrate into the mainstream labour market must be developed instead.

Too few people with disabilities are participating in mainstream training opportunities. Vigorous affirmative action steps need to be taken to significantly increase the numbers of participants.

Training and educational opportunities are not adequately accessible at the physical and sensory level, nor geared to individual interests and learning styles. Training and educational institutions ought to be held accountable for making the necessary changes in their policies, teaching procedures and sites of learning. Attaching conditions to the massive funding now delivered to these institutions would be a powerful incentive for them to find ways to serve the public more effectively.

There has been insufficient access by people with disabilities to regional and local economic development, and to priority setting for public investments in training. Participation should be vigorously promoted in the future. Government, business and labour compliance with that principle needs to be monitored and enforced.

People with disabilities have had too few opportunities to participate in the monitoring and design of educational and training programs. Again, mechanisms to ensure their participation should be developed, and funding to enable them to play a consultancy role should be made more readily available. Responsibility for ensuring the involvement of people with disabilities in educational/training design should be clearly vested, and accountability measures for ensuring participation should be enforced.

MECHANISMS FOR COORDINATING ACCESS

If mainstream vocational counselling, referral and placement agencies are to serve all citizens who need these services, then they should be required to develop and maintain their expertise in serving people with disabilities.

The network of community agencies with expertise in issues of disability and labour force participation is providing valuable services. This network should be expanded and strengthened by reducing agency reliance on short-term and project funding and by increasing core funding.

In order to remove the potential for conflict of interest, the following services should be clearly separated so that no single agency does more than one service: providing assessments; determining eligibility for training and job placements; providing vocational counselling and referral; and delivering actual training and work opportunities. Individuals encounter long delays in gaining access to these services. The client load of individual counsellors must be reduced and funding for more counselling positions made available.

The secondary and post-secondary educational systems and voluntary groups are limited in their ability to provide effective job and educational counselling to young persons with disabilities. The capacity of these systems to deliver general educational counselling services should be strengthened and particular focus placed on young people with disabilities making the transition from school to work.

Coordination services are limited in their ability to link people with disabilities to generic financial institutions and to business resources. If people with disabilities who seek to become self-employed or to develop their own businesses are to have better opportunities, the coordinating agencies should be funded and mandated to assist in the process.

INCOMES ADEQUATE TO LIVE WITH THE COST OF DISABILITY

Many people are unable to cover the costs of living with a disability with job earnings. Adequate cost coverage should be provided regardless of individuals' relationship to the labour market. This would probably mean establishing a single, coherent system to manage the delivery of disability-related cash transfers, goods and services.

People are effectively driven out of the labour force so they can qualify (under the *unemployable* criterion) for the disability-related cash transfers, goods and services they require. A clear alternative to this counter-productive situation must be found.

People are penalized (e.g., through earnings exemption tax backs) for trying to apply disability-related cash transfers, goods and services to gaining an education, training or jobs. These penalties should be dropped.

The present system for delivering the necessary cash transfers, goods and services to people with disabilities — particularly welfare — has little credibility in the eyes of the Canadian public. It also stigmatizes the people who have to rely on this system. Another set of arrangements should be implemented, grounded in the principle that people with disabilities are not "worthy poor" but persons with the right to dignity and full participation in society.[108]

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[108] A number of proposals for such arrangements have been made. See, for example, Mario Bolduc, *Making Equal Opportunity a Reality: An Insurance Plan Covering the Additional Costs Associated with Impairments, Disabilities, and Handicap Situations*, paper prepared for a presentation at "Independence 92" (Vancouver, April 1992); Brian Cruikshank, *Participation Enhancement Plan for Canadians with Disabilities* (Vancouver: Neil Squire Foundation, 1992); Harry Beatty, "Comprehensive Disability Compensation in Ontario: Towards an Agenda," *Journal of Law and Social Policy*, 7 (1991), pp. 100-142. For a review of issues related to comprehensive disability income schemes, see The Roeher Institute (L. Muszynski), *Comprehensive Disability Income Security Reform* (North York, March 1992).

THE NEED FOR A COMPREHENSIVE APPROACH

The obstacles individuals with disabilities face in attempting to take part in the labour force are many and interconnected. Major changes are required at the policy level. Central issues are supply and access to disability-related supports and access to coverage of disability-related costs through the income support system. Also crucial are requirements that individuals become *unemployable* to qualify for needed supports yet be *competitive*, i.e., able to become completely independent of supports, to qualify for training.

Current policy is splintered across departments and programs. A comprehensive, pro-active approach on the part of government is needed to reconcile the discrete policy and program domains, which must be coordinated if greater equity in the labour force is to be achieved. Responsibility for actualizing the policy needs to be clearly vested, and effective accountability mechanisms should be established.

There are serious practical challenges involved in creating effective coordination across levels of government agencies and departments and the many community providers of service. An operational arrangement is necessary that will empower those responsible for implementing the policy to work across jurisdictional and departmental lines, to cut red tape and to shift entire systems to achieve greater equity for people with disabilities in the labour force.

The four-corner agreements, which involve EIC and National Health and Welfare and their provincial/territorial counterparts, and federal/provincial cooperation in purchases for training, are useful models of coordination, although these arrangements are limited. Those mandated to collaboratively develop and implement policy to unify the currently fragmented policy and program framework should be: persons with authority in the human rights and employment equity fields who are familiar with disability issues, as well as informed representatives with responsibility for income support, training, education and support services/devices. Naturally, people with disabilities should be ensured a major and ongoing role in this process.

The broader economic policy context is also critical. The economy and labour market have not been designed to enable people with disabilities to participate. This basic problem is likely to be exacerbated as we move towards universal competition, job scarcity due to technological displacement and the trend in some sectors towards highly skilled labour and in others towards marginal economies relying on low-paying, low-skilled, service-oriented labour. If ways must be found to ensure a place for people with disabilities in the economy, removing the many barriers that have hampered their participation up to this point is an essential starting point.

APPENDIX A.

OVERVIEW OF PROVISIONS FOR THE DELIVERY OF TRAINING AND EDUCATIONAL OPPORTUNITIES

TRAINING UNDER THE CANADIAN JOBS STRATEGY/ LABOUR FORCE DEVELOPMENT STRATEGY

The federal government's role in training is regulated under the *National Training Act* (1982). The *Act* expanded the federal government's powers in this respect, enabling it to purchase training from private sector training institutions, employers, and coordinators of training which operate within the provinces and territories. The need for such legislative tools was based on a recognition of the links between training and labour force participation, and between a trained labour force and management of a productive economy. Given the federal government's role in economic management, it also needed a role in developing one of the key factors of production: labour.

The federal-provincial/territorial framework for the Canadian Job Strategy and the Labour Force Development Strategy (CJS/LFDS) has been put in place under that *Act*. For a discussion of the relationship between CJS and LFDS, refer to Chapter 2. Through this framework the single largest pool of dollars is allocated to purchase and deliver training. The scale of funding allocated through this framework, the federal-provincial nature of the arrangements, and the commitment by governments to increase the levels of participation by persons with disabilities suggest that CJS/LFDS could be a window of opportunity to address the barriers to employment. The following sections describe features of this framework.

KEY ARRANGEMENTS FOR DELIVERING TRAINING

Purchase of training: The employability improvement program

Training options have been provided under CJS through a number of its component programs. The bulk of training for persons with disabilities, however, has been provided through Job Entry and Job Development, as well as through EIC-purchased training from provincially funded public and private training institutions.

Job Development concentrates on persons who are long-term unemployed. The focus of Job Entry has been on unemployed youth who have not successfully made the transition from school to work, unemployed women attempting to make a transition into the labour force but who lack appropriate training or work experience, and "severely employment disadvantaged individuals," like persons with a disability who for a variety of reasons face major barriers in securing or maintaining employment. The combination of training and work experience provided under Job Entry and Job Development projects averaged between 16 and 52 weeks in duration.

Many of the options under CJS Job Development and Job Entry will be incorporated, under the new Labour Force Development Strategy, into the LFDS Employability Improvement Program. This program is designed to assist persons facing serious labour market difficulties in gaining access to vocational counselling and training. The four employment equity groups are designated clients under this program. The program has three major components for purchasing training: Project-Based Training, Wage Reimbursement, and Purchase of Training Arrangements.

Through Project-Based Training, programs similar to those funded under the Severely Employment Disadvantaged and Job Entry and Re-Entry options of CJS will be supported. These have generally focused on developing the pre-vocational and basic labour market skills of trainees. A variety of community agencies, including disability organizations, have served as coordinators and providers of the programming.

Wage Reimbursement replaces what was formerly the Individually Subsidized Job (ISJ) option of the CJS Job Development program. That option has been used by a significant proportion of CJS participants with disabilities. This program provides work experience and skills training to persons who are long-term unemployed, and provides employers with wage subsidies as an incentive to hire and provide on-the-job training to selected individuals. Actual delivery of training has been the responsibility of the employer receiving the wage subsidy.

Purchase of Training Arrangements have been used to purchase a variety of training courses for eligible individuals under the CJS/LFDS framework. EIC arranges for training to be purchased from both public training institutions, such as community colleges, as well as from a wide array of private training institutes and other private sector organizations. Purchases from this highly decentralized delivery system include courses related to vocational or skills training, pre-vocational training (up-grading programs), preparation for employment training (job search and job readiness training), language training, apprenticeship training and training related to specific occupations. Some of these purchases are made on a government-to-government basis, where EIC and provincial counterparts negotiate the number of seats that EIC will purchase in training courses that are delivered through provincial, public-sector training institutions. Local CECs are also mandated to directly purchase training and provide wage reimbursements from other providers. As well, EIC provides funding support to third parties (non-government groups, some of which are called coordinating groups), who in turn make similar purchases.

RELATED ARRANGEMENTS FOR PURCHASING, DELIVERING AND REGULATING ACCESS TO TRAINING

Labour force development agreements and Labour Force Development Boards: Roles of provincial/territorial governments and aboriginal peoples

As indicated in Chapter 2, the new structure for labour market planning in Canada is being put in place through a three-level (national, provincial/territorial and local) system of labour force development boards. Responsibilities for local boards have not been worked out and will likely vary from province to province. It is anticipated that the local level boards will eventually be responsible for decisions about the training to be purchased within local areas. They will replace the function of coordinating groups in some instances, or will develop partnership arrangements with existing coordinating groups. Local boards would also be responsible for developing detailed local labour market training plans with the advice, consultation and expertise of the provincial boards, and within the framework for labour market development established by the provincial board. Representation on boards at all levels will include business and labour primarily, but also representatives of some or all of the target groups for employment equity. These structures could provide some opportunity, then, for disability organizations to participate in labour market planning and in decisions about the kinds of training that will be purchased.

The training agreements that are ongoing between the federal and provincial/territorial governments lay out the terms and provisions for the purchase and delivery of training in the provinces and territories. On the basis of funding through these arrangements, provinces establish a variety of wage subsidy programs in addition to those delivered under the Wage Reimbursement component of the Employability Improvement program. It is anticipated that there will be considerable diversity across the country in terms of how the provinces and territories will organize and deliver training under the Labour Force Development agreements.

Shift to Unemployment Insurance claimants under LFDS

The purchase of training under the CJS/LFDS framework is now being focused more exclusively on claimants of Unemployment Insurance. This shift is due to the fact that Bill C-121, the 1991 amendment to the *Unemployment Insurance Act*, established that a portion of the fund could be used for developmental uses — in other words, for costs related to training. The Developmental Uses budget now provides the bulk of the funding for training. Because the UI fund is paid for by employers and workers, EIC has taken the decision that those who use training funded out of the UI fund should be primarily those individuals who are claimants of the fund. This means that people most likely to receive training funded in this way are people who have worked in the past 52 weeks and have contributed to the UI fund.

Three-year maximum on training participation under LFDS

Under the program changes being introduced under the LFDS programs, an individual's training can now be funded for a period of up to three years. One of the key barriers to participation for persons with disabilities under the original set of CJS programs was a 52-week maximum on training programs. The learning styles and other needs of some persons with disabilities could not be accommodated within the 52-week period due to the nature of their disability. If it was anticipated that such persons could not develop needed skills within the 52-week time frame, they would often be considered ineligible for the training. This occurred rather than consideration being given to how the training time frame could be adapted to better accommodate their needs. The extension of the allowable period of funding could be used to tailor more accommodating training arrangements for individuals who would have had difficulties gaining access to, or completing, training.

Measures to increase participation of equity groups

The level of participation by persons with disabilities in training purchased through the CJS/LFDS framework has consistently fallen below the 6 per cent targets established by Employment and Immigration Canada. EIC and provincial governments have expressed commitments to increase their participation in the future. The measures to increase participation under the CJS/LFDS framework are outlined below.

Prior to 1990 EIC established annual targets at the local and provincial/territorial levels for participation in CJS programs by members of designated employment equity groups. However, participation of people with disabilities consistently fell below the targets established. Since 1990 aggregated targets for CJS program participation have been established at the provincial/territorial level only, eliminating the need for each CEC to achieve particular target levels. In 1990 EIC introduced a Designated Group Policy which marks a shift in emphasis from exclusive reliance on setting targets for designated group participation in CJS/LFDS training programs. The overall goal of EIC's Designated Group Policy is to achieve employment equity for the four groups, to the extent that EIC is able through its own mandates. The policy requires that EIC take measures, within the context of its programming, to remove barriers to the full labour force participation of members of the designated groups.

Implementation of the policy requires that local CECs, EIC regional offices and EIC National Headquarters ensure that achievement of all strategic priorities contribute to achievement of the policy's equity objectives. The policy does not make reference, however, to the establishment of target participation levels for individuals with disabilities in CJS/LFDS programs. It is unclear what concrete measures will be established to determine whether equity objectives are being met under LFDS. It is also unclear what concrete mechanisms will be used to pursue the equity objectives. It is clear that the national headquarters of EIC is mandated under the policy to establish annual national goals to mark progress in achieving the four objectives.[109]

Further, the federal-provincial/territorial agreements used to implement the CJS/LFDS programs specify that both levels of government are committed to equality of access to training and employment development programs, or are committed to employment equity for individuals who require special efforts if equitable access to training is to be ensured.

In addition, under certain CJS program options, the providers of training have up to $10,000 per disabled participant for workplace accommodations, which in turn could assist the achievement of equity objectives. This feature of CJS is discussed in Chapter 5.

In some jurisdictions, like Prince Edward Island, a form of targeting has been in place to enable the purchase of course seats in provincial training institutions. Under the federal government's arrangement to purchase seats in provincial training institutions, the province agrees to reserve a certain number of purchased seats specifically for people with disabilities.

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[109] Program managers within EIC at the local, regional, and national levels are to have reference made in their performance appraisals concerning their contribution to achieving the four objectives.

ARRANGEMENTS FOR DELIVERING VOCATIONAL TRAINING FOR PERSONS WITH DISABILITIES

Both individualized funding and program funding mechanisms have been used to purchase vocational training funded in whole or in part under federal-provincial/territorial VRDP agreements. Individualized funding provides people with dollars to purchase training at a training institute, college or university. Program funding is a mechanism by which the provincial government contracts a provider of training to deliver programs to individuals. Individuals approved for training funded under VRDP gain access to training delivered in a number of ways:

- pre-vocational and vocational training provided in sheltered workshop settings;
- on-the-job training provided by employers;
- on-the-job training assisted by job coaches who are contracted or employed by community-based agencies delivering employment supports;
- vocational and job-readiness programs delivered by community-based employment agencies and disability organizations, public and private vocational training institutes and community colleges;
- post-secondary level courses leading to university degrees and college diplomas and other certifications.

Some provinces/territories use a mix of individualized and program funding for the purchase of these training options. Prince Edward Island, for example, uses only individualized funding. However, people who gain access to VRDP individualized funding for purchase of training are primarily people with physical (mobility or agility impairments) or sensory impairments. Individuals who are labelled mentally handicapped generally do not have access to this type of funding in that province, as they are served primarily by the province's sheltered workshops funded under CAP as day programs and rehabilitation services. In contrast, Manitoba's Vocational Rehabilitation Service develops and determines the costs of individual plans based on a vocational goal for each individual it funds. The funds are directed, however, to the training providers and to designated community agencies which act on the individual's behalf.

ARRANGEMENTS FOR DELIVERING POST-SECONDARY EDUCATION

Access to post-secondary education and labour force participation is becoming increasingly linked in the current economic environment. Analysis of the relationship between educational achievement and labour force participation indicates that over 75 per cent of the new jobs created in Canada between 1981 and 1986 were filled by persons with some post-secondary education; and 50 per cent were filled by persons with a university degree. Prior to 1981 less than 60 per cent of jobs were filled by persons with these qualifications.[110] While these figures do not indicate that this level of qualification is absolutely required for new jobs, they do point to rising qualification levels and to increasing competition within the labour market. These facts suggest that access to post-secondary education is becoming more important to persons with disabilities, if only for the purpose of increasing their level of participation in the labour force.

Post-secondary education in Canada is a responsibility of provincial/territorial governments. Yet the federal government contributes to the cost of post-secondary education through fiscal transfers to the provinces and territories on a per capita basis.

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[110] **Canada, Employment and Immigration Canada,** ***Workforce 2000: The Canadian Scenario, Draft Report*** **(Ottawa, 1988).**

These contributions are made under the Federal-Provincial Fiscal Arrangements and Post-Secondary Education and Health Contributions Act. Provincial and territorial governments fund and regulate both universities and community colleges. Depending on the province, the post-secondary educational institutions are more or less autonomous from direct control by provincial governments.

In recognition of the historically low levels of participation in post-secondary education by persons with disabilities, provincial governments have begun to establish policies and funding allocations to facilitate greater access to these educational opportunities. Aspects of these policies are discussed in Chapters 5 and 7. In some instances, post-secondary institutions establish allocations out of their own budgets to put these three types of initiatives in place.

In order to cover the costs of educational and training programs offered through post-secondary institutions, eligible students with disabilities may receive funding through provincial vocational rehabilitation services, cost-shared under the VRDP Agreement. Provision of training allowances and student loans are discussed in Chapter 8.

ARRANGEMENTS FOR DELIVERING COOPERATIVE EDUCATION

Cooperative education refers to a particular form of education/work experience. Students in cooperative education programs are enrolled in formal education programs at the secondary, college or university level. The students participate in work experience projects arranged through their educational institution. The work experience is seen as part of the student's educational program. Cooperative education programs differ from on-the-job training options discussed above in that they are primarily educational programs interspersed with short-term workplace assignments. Of the approximately

140,000 individuals in cooperative education programs in Canada, 70 per cent are in programs at the secondary level, with the remainder in programs at the college and university level.[111]

Cooperative education is significant to persons with disabilities for a number of reasons. First, given the high proportion of persons with disabilities not now in the labour force and who face discrimination and other barriers in employment, positive work experiences at a young age would assist in the development of skills and motivation for long-term labour force participation. Second, greater exposure to the labour market through cooperative education could assist in changing the attitudes and expectations of those employers who have traditionally discriminated against this population. Third, cooperative education is managed through established educational institutions, and could be managed in such a way as to deliver needed supports and consultations to employers so they can include persons with disabilities in jobs. Fourth, while there are no hard data, there is a belief among educators that cooperative education has a positive impact on the number of students who stay in the school system to complete the secondary level, and on their opportunities for employment upon leaving school.[112] Given the traditionally low participation rates of students with disabilities in both secondary school and in the labour force, and the high proportion of young adults without high school graduation who have disabilities, access to such cooperative education programs for students with disabilities could be of considerable benefit.

Cooperative education programs are designed and delivered through educational institutions — the secondary school board, college or university — established or regulated by provincial governments. Provincial governments establish cooperative education policies which set out the terms for programs at the college and university level. Local school boards are usually responsible for determining their own co-op programs. These differ from the university/college level programs in that usually no

[111] The Canadian Labour Market and Productivity Centre (CLMPC), *Report of the CLMPC Task Forces* (Ottawa, 1990), p. 202.

[112] The Canadian Labour Market and Productivity Centre (CLMPC), *Report of the CLMPC Task Forces* (Ottawa, 1990), p. 219.

remuneration to students for work placements is provided, workplace assignments are shorter in duration and assignments are not aligned as closely with the development of particular professional or technical skills related to the student's program of study.

There are three types of funding arrangements for cooperative education programs: federal grants through CJS/LFDS; provincial education budgets; and funding of programs specifically for persons with disabilities.

CJS/LFDS Grants

A cooperative education funding option is available under the new Employability Improvement Program of CJS/LFDS, and was previously available under CJS options. The federal government has provided funding to over 250 cooperative education projects at the secondary, college and university levels. Funding under this option has increased substantially in recent years. It has been proposed that funding will quadruple under LFDS, with the bulk of funding going to projects at the secondary school level.

Provincial education funding

In Canada, secondary school education is funded through provincial ministries of education and local school taxes. Provincial policies for cooperative education are not elaborate. They usually entail the allowance of cooperative or work experience placements to count toward credit within a student's program. Provincial funding may be provided to school boards to assist with a variety of student participation and administrative costs. The lack of access to co-op education by students who are labour market disadvantaged has begun to be addressed at the provincial level, but only minimally.

Funding of co-op programs for persons with disabilities

The cooperative education model has been used to design special programs for persons with disabilities. Programs take advantage of both VRDP funding, CJS/LFDS funding, as well as provincial education funding. As with generic co-op education programs, the special programs for people with disabilities mix classroom learning with work experience. Numerous programs of this type have been established by vocational and community colleges and by other organizations.

ARRANGEMENTS FOR DELIVERING ADULT BASIC EDUCATION

Adult Basic Education (ABE) in Canada has a number of different definitions but refers generally to an educational process aimed at assisting adults to develop skills in four areas: basic and functional literacy; academic upgrading in order that adults can obtain knowledge and credentials to participate in vocational training or post-secondary education; English as a Second Language training; and mother-tongue language training for Aboriginal peoples.

There has been a growing recognition that increased public investment in adult basic education is required. There are high levels of functional illiteracy among the general adult population in Canada and among adults with disabilities. The 1986 Southam survey of literacy estimated that 24 per cent of adults in Canada are functionally illiterate, and the proportion of adults with disabilities ranges up to 40 per cent.[113]

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[113] For the Southam survey see Creative Research Group, *Literacy in Canada: A Research Report* (Ottawa: Southam News, 1987). For a review of research on literacy and disability, with a focus on mental handicap, see The G. Allan Roeher Institute, *Literacy and Labels* (Downsview, 1990).

As indicated in the analysis of the training/education problem in Chapter 6, adults with disabilities have much lower completion rates of secondary schooling than the general population. The lower rates of participation in the educational system and of high school completion among people with disabilities indicate that many need access to academic upgrading. The absence of programming for those who require it makes it difficult to imagine how individuals are to participate in post-secondary educational opportunities in preparation for the labour force.

Adult basic education is the responsibility of provincial governments and is delivered in a number of ways in Canada: through community-based volunteer literacy and English as a Second Language (ESL) programs; through programs at libraries; literacy, upgrading and ESL programs provided through school boards; programs delivered through community colleges; and workplace-based adult education for literacy training and ESL. Mixes of these various delivery arrangements are in place in most provinces and territories and are funded primarily through provincial government departments of education and advanced education and training. There is no explicit policy for adult education, but it is increasingly being funded and coordinated through the formal education systems at the secondary and post-secondary level.[114]

Federal participation in adult basic education was substantial in the 1970s under Basic Training for Skills Development (BTSD), a program for the delivery of adult basic training including literacy training. Under CJS, however, adult basic education programming has been kept to a minimum as the focus has been on vocational training.

The new LFDS program framework provides more room for EIC to support ABE programming. There is recognition that persons who face the most serious labour market disadvantages are often those without the educational and literacy levels that had been established for the CJS programs. The extent to which these exemptions to standard operating practice will be used to enable

[114] For a recent review of provincial government initiatives in adult education in Canada, see Gordon Selman and Paul Dampier, *The Foundations of Adult Education in Canada* (Toronto: Thompson Educational Publishing, 1991). See also John Cairns, *Adult Illiteracy in Canada* (Toronto: Council of Ministers of Education, February 1988). For an overview of provincial involvement in literacy education and persons with disabilities, and recent provincial policy initiatives and recommendations in this area, see The G. Allan Roeher Institute, *Literacy and Labels* (Downsview, 1990).

persons with disabilities to become eligible for training, and to enable coordinators to develop project-based training that addresses their needs, remains to be seen.

The National Literacy Program of the Department of Secretary of State has also played a funding role in the development of literacy programming, some of which has targeted persons with disabilities.

ARRANGEMENTS TO DELIVER TRAINING FOR SOCIAL ASSISTANCE RECIPIENTS: EMPLOYABILITY ENHANCEMENT AGREEMENTS

Access to training programs for social assistance recipients is facilitated through the federal-provincial Employability Enhancement Agreements, described in Chapter 2. These agreements enable recipients to participate in approved training programs. The bulk of the expenditures have been for the purchase of training programs under the Job Development and Job Entry Programs of CJS/LFDS, with additional programs delivered under separate provincial and municipal initiatives. Project-based training, wage subsidies to employers and purchases of courses and seats from training institutions have been utilized under these agreements.

The primary feature of the agreements is to change the guidelines of the Canada Assistance Plan to enable welfare recipients to participate in training and receive living and training allowances without losing social assistance income. The agreements enable each province and territory to negotiate targets for participation by social assistance recipients in CJS programs, and to refer recipients to CJS/LFDS or similar provincial training programs. The contributions to a recipient's social assistance by the provincial/territorial government and by the federal government under CAP are transferred to the training program in which the recipient participates.

As of July 31, 1989, over 3,000 training projects were purchased through arrangements under CJS programs for a total of over $360,000,000. As with all training projects under the CJS/LFDS, there is a variety of project sponsors, including provincial and municipal government departments responsible for social assistance.

ARRANGEMENTS TO DELIVER SHELTERED TRAINING UNDER THE CANADA ASSISTANCE PLAN

Regulations under the Canada Assistance Plan do not allow funding for vocational training to be cost-shared under this arrangement. The welfare services provision of CAP does enable provincial governments, however, to fund the delivery of rehabilitation services. CAP also allows for funding of work activity projects. These provisions have been used by provincial governments to fund day programs and sheltered workshops, primarily for persons with mental handicaps and for persons with other disabilities. The day programs and workshops provide life skills and social skills development training. They may also provide some basic pre-vocational and vocational skills training through the contracts workshops secure with clients in the community to produce goods and services. The programs usually operate out of a facility in which staff provide support to individuals to develop skills and to take part in activities organized through the day program.

APPENDIX B.

STATISTICAL TABLES

In 1986 Statistics Canada undertook the Health and Activity Limitation Survey (HALS) as well as other measures in response to Recommendation 113 of *Obstacles: The Report of the Special Parliamentary Committee on the Disabled and the Handicapped,* published in 1981.[115] Unless specified otherwise, the statistical data in this report are drawn from HALS.

The target population of the survey consisted of all persons with a physical, sensory or psychological disability who were living in Canada at the time of the 1986 census. HALS was comprised of two surveys: the household survey, which was conducted immediately following the 1986 Census of Population; and the institutions survey, which was conducted in the spring of 1987. This report uses the household survey micro-data set only.

In the household survey, a wide range of issues were explored that covered individuals' specific activity limitations, their use of social services, their participation in education, employment, and leisure, and their sources of income. The survey data was crossed with general census data, which allows comparisons between people with and without disabilities to be made on labour force participation, income and a number of other issues.

A more detailed discussion of HALS, its definition of disability, the survey methodology and the questionnaires used can be found in the Health and Activity Limitation Survey *User's Guide* (Ottawa: Disability Database Program, Statistics Canada, 1988). HALS general tabular data on children and adults living in households can be found in *Highlights: Disabled Persons in Canada* (Ottawa: Statistics Canada, 1990).

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[115] *Obstacles: Report of the Special Parliamentary Committee on the Disabled and the Handicapped* (February 1981), p. 131.

Table 1. LONG-TERM LABOUR FORCE NON-PARTICIPANTS (LTNP), AS A PROPORTION OF THE GENERAL AND DISABLED AND NON-DISABLED POPULATIONS

	GENERAL POPULATION	% LTNP	NOT DISABLED	% LTNP	DISABLED	% LTNP
LTNP	3,138,000	18.5	2,491,000	16.4	647,000	36.6

Table 2. WORKING-AGE CANADIANS WITH DISABILITIES IN CANADA

A) PROPORTION OF THE GENERAL POPULATION (AS A %) HAVING VARIOUS DISABILITIES

	% POP.	*MOB.	AGIL.	SEE	HEAR	SPEAK	OTHER
TOTAL	100.0	6.2	5.4	1.2	2.5	0.6	2.9

B) PERSONS WITH VARIOUS DISABILITIES AS A PROPORTION OF THE GENERAL WORKING POPULATION

	% POP.	MOB.	AGIL.	SEE	HEAR	SPEAK	OTHER
TOTAL	100.00	3.0	2.7	0.5	1.7	0.3	1.2

* Many individuals in each column would have more than one disability.

Table 3. WORKING-AGE ADULTS WITH DISABILITIES: BY SEVERITY OF DISABILITY AND LABOUR FORCE PARTICIPATION

		TOTAL	EMPL.	UNEMPL.	*NILF	UNKNOWN
TOTAL	1,768,000	100.0	40.3	7.3	50.7	1.8
MILD	913,000	100.0	49.4	8.6	39.9	2.0
MODERATE	584,000	100.0	36.6	6.4	55.5	1.4
SEVERE	271,000	100.0	17.2	4.7	76.4	1.7

* Not in the labour force

Table 4. LABOUR FORCE STATUS OF WORKING-AGE ADULTS: DISABLED AND NON-DISABLED, BY AGE

	TOTAL	TOTAL	EMPL.	UNEMPL.	NILF	UNKNOWN
ADULTS < 65						
	16,999,000	100.0	66.8	8.0	25.1	0.2
15 - 24	4,102,000	100.0	56.2	11.5	32.3	0.1
25 - 39	6,427,000	100.0	75.7	8.5	15.7	0.1
40 - 54	4,157,000	100.0	74.7	5.5	19.6	0.2
55 - 64	2,313,000	100.0	46.6	4.7	48.2	0.5
NOT DISABLED						
	15,231,000	100.0	69.9	8.1	22.1	0.0
15 - 24	3,920,000	100.0	56.8	11.5	31.6	0.0
25 - 39	5,969,000	100.0	77.3	8.3	14.3	0.0
40 - 54	3,622,000	100.0	78.6	5.2	16.2	0.0
55 - 64	1,721,000	100.0	55.2	5.2	39.6	0.0
DISABLED						
	1,768,000	100.0	40.3	7.3	50.7	1.8
15 - 24	181,000	100.0	42.4	10.3	45.3	2.0
25 - 39	459,000	100.0	54.7	10.4	33.3	1.5
40 - 54	535,000	100.0	47.7	7.9	42.5	1.8
55 - 64	592,000	100.0	21.6	3.3	73.2	1.9

Table 5. LONG-TERM LABOUR FORCE NON-PARTICIPANTS (LTNP), AS A PROPORTION OF TOTAL DISABLED AND NON-DISABLED PERSONS IN EACH AGE CATEGORY

	LTNP IN GENERAL POP.	LTNP AS A % OF EACH AGE GP.	LTNP NOT DISABLED	LTNP AS A % OF EACH AGE GROUP	LTNP DISABLED	LTNP AS A % OF EACH AGE GROUP
TOTAL	3,138,000	18.5	2,491,000	16.2	647,000	36.6
15 - 24	929,000	22.7	871,000	22.2	58,000	31.7
25 - 39	668,000	10.4	574,000	9.6	95,000	20.7
40 - 54	630,000	15.2	468,000	12.9	162,000	30.3
55 - 64	910,000	39.4	578,000	33.6	33,000	56.1

Table 6. LABOUR FORCE STATUS OF WORKING-AGE ADULTS (AGE 15-64) BY PROVINCE/TERRITORY: DISABLED AND NOT DISABLED

	ADULTS < 65		ADULTS < 55	
	NOT DISABLED	DISABLED	NOT DISABLED	DISABLED
CANADA				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	69.9	40.3	71.7	49.6
UNEMPLOYED	8.1	7.3	8.4	9.3
NOT IN LABOUR FORCE	22.1	50.7	19.9	39.4
	15,231,000	1,768,000	13,511,000	1,175,000
NEWFOUNDLAND				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	52.8	27.3	53.7	34.3
UNEMPLOYED	16.6	10.7	17.6	13.8
NOT IN LABOUR FORCE	30.6	61.0	28.8	51.1
	325,000	39,000	297,000	26,000

	ADULTS < 65		ADULTS < 55	
	NOT DISABLED	DISABLED	NOT DISABLED	DISABLED
PRINCE EDWARD ISLAND				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	66.9	41.2	68.5	52.0
UNEMPLOYED	12.3	8.2	12.8	11.6
NOT IN LABOUR FORCE	20.8	49.3	18.7	35.1
	72,000	9,000	64,000	6,000
NOVA SCOTIA				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	62.4	39.2	63.7	47.1
UNEMPLOYED	10.6	6.7	11.2	8.4
NOT IN LABOUR FORCE	27.0	52.9	25.1	43.3
	493,000	81,000	446,000	53,000
NEW BRUNSWICK				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	63.8	33.7	64.9	40.0
UNEMPLOYED	11.6	6.9	12.3	9.6
NOT IN LABOUR FORCE	24.7	58.9	22.8	50.1
	406,000	58,000	368,000	37,000
QUEBEC				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	64.0	30.7	66.1	40.6
UNEMPLOYED	9.9	6.3	10.4	8.4
NOT IN LABOUR FORCE	26.1	61.8	23.5	49.8
	4,087,000	392,000	3,618,000	249,000
ONTARIO				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	75.3	43.2	77.2	52.9
UNEMPLOYED	5.6	6.7	5.8	8.3
NOT IN LABOUR FORCE	19.1	48.1	17.0	36.7
	5,511,000	674,000	4,852,000	453,000

	ADULTS < 65		ADULTS < 55	
	NOT DISABLED	DISABLED	NOT DISABLED	DISABLED
MANITOBA				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	75.2	50.6	77.2	59.5
UNEMPLOYED	5.7	5.3	6.2	6.8
NOT IN LABOUR FORCE	19.0	42.2	16.6	32.2
	590,000	78,000	523,000	50,000
SASKATCHEWAN				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	72.9	48.4	74.4	57.2
UNEMPLOYED	6.2	5.8	6.6	7.7
NOT IN LABOUR FORCE	20.9	44.5	19.0	33.7
	556,000	66,000	490,000	44,000
ALBERTA				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	74.0	49.3	75.2	58.0
UNEMPLOYED	7.0	9.4	7.2	10.9
NOT IN LABOUR FORCE	19.1	40.1	17.7	30.1
	1,440,000	156,000	1,311,000	112,000

	ADULTS < 65		ADULTS < 55	
	NOT DISABLED	DISABLED	NOT DISABLED	DISABLED
BRITISH COLUMBIA				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	66.8	40.2	69.4	48.9
UNEMPLOYED	10.6	10.3	10.8	13.1
NOT IN LABOUR FORCE	22.6	46.7	19.8	35.3
	1,705,000	211,000	1,500,000	143,000
YUKON				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	78.0	46.8	78.0	50.0
UNEMPLOYED	8.9	7.7	9.5	7.9
NOT IN LABOUR FORCE	13.0	24.4	12.5	23.6
	15,000	1,000	14,000	1,000
NORTHWEST TERRITORIES				
TOTAL	100.0	100.0	100.0	100.0
EMPLOYED	78.6	49.5	78.1	48.6
UNEMPLOYED	5.3	4.0	5.1	5.0
NOT IN LABOUR FORCE	16.1	16.5	16.8	18.6
	30,000	3,000	29,000	2,000

(The proportion of persons in each province/territory whose labour force status is "unknown" has not been included in this table. Therefore, the proportions of people employed, unemployed and not in the labour force may not total 100 per cent in all cases.)

Table 7. EMPLOYED PERSONS, DISABLED AND NOT DISABLED, BY OCCUPATIONAL GROUP AND GENDER

	TOTAL (DISTRIBUTION)		FEMALE	MALE
NOT DISABLED				
TOTAL	100.0	100.0	43.2	56.8
UPPER LEVEL MANAGERS	1.7	100.0	16.5	83.6
MIDDLE AND OTHER MANAGERS	7.6	100.0	33.4	66.6
PROFESSIONALS	13.0	100.0	52.3	47.7
SEMI-PROFESSIONALS AND TECHNICIANS	4.6	100.0	46.0	54.0
SUPERVISORS	2.8	100.0	47.6	52.5
FOREMEN/WOMEN	3.2	100.0	6.8	93.2
CLERICAL WORKERS	16.7	100.0	82.1	17.9
SALE WORKERS	8.3	100.0	46.8	53.2
SERVICE WORKERS	9.2	100.0	59.2	40.8
SKILLED CRAFTS AND TRADES	8.1	100.0	7.9	92.1
SEMI-SKILLED MANUAL WORKERS	8.3	100.0	12.4	87.6
OTHER MANUAL WORKERS	13.9	100.0	31.1	69.0
NOT STATED	2.6	100.0	34.0	66.0
	10,641,000			
DISABLED				
TOTAL	100.00	100.00	37.88	62.12
UPPER LEVEL MANAGERS	1.23	100.00	6.92	93.08
MIDDLE AND OTHER MANAGERS	5.80	100.00	24.24	75.76
PROFESSIONALS	10.15	100.00	47.93	52.07
SEMI-PROFESSIONALS AND TECHNICIANS	4.50	100.00	55.32	44.68
SUPERVISORS	2.49	100.00	36.41	63.59
FOREMEN/WOMEN	2.34	100.00	9.03	90.97
CLERICAL WORKERS	14.82	100.00	75.22	24.78
SALE WORKERS	8.06	100.00	41.25	58.75
SERVICE WORKERS	7.91	100.00	56.74	43.26
SKILLED CRAFTS AND TRADES	9.79	100.00	4.22	95.78
SEMI-SKILLED MANUAL WORKERS	8.52	100.00	13.86	86.14
OTHER MANUAL WORKERS	16.33	100.00	25.84	74.16
NOT STATED	8.08	100.00	38.94	61.06
	712,000			

Table 8. WORK ACTIVITY BY GENDER

	TOTAL (DISTRIBUTION)			FEMALE	MALE
GENERAL POPULATION					
TOTAL	16,999,000	100.0	100.0	50.3	49.7
NO WORKED 86/WORKED PRE /85 OR NEVER		20.4	100.0	72.8	27.2
DIDN'T WORK IN 85/ WORKED IN 86		3.1	100.0	53.5	46.5
WORKED 1-26 WEEKS FULL-TIME		10.4	100.0	46.1	53.9
WORKED 1-26 WKS PART-TIME		7.2	100.0	61.8	38.2
WORKED 27-52 WKS FULL-TIME		49.8	100.0	36.2	63.8
WORKED 27-52 WKS PART-TIME		9.2	100.0	71.5	28.5
NOT DISABLED					
TOTAL	15,231,000	100.0	100.0	50.3	49.7
NW 86/WORKED PRE 85 OR NEVER		17.9	100.0	75.1	24.9
DIDN'T WORK IN 85/ WORKED IN 86		3.1	100.0	54.4	45.6
WRKD 1-26 WKS FULL-TIME		10.5	100.0	47.0	53.0
WRKD 1-26 WKS PART-TIME		7.4	100.0	62.2	37.8
WRKD 27-52 WKS FULL-TIME		51.7	100.0	36.6	63.4
WRKD 27-52 WKS PART-TIME		9.4	100.0	71.8	28.2
DISABLED					
TOTAL	1,768,000	100.0	100.0	49.7	50.3
NO WORK 86/WORKED PRE /85 OR NEVER		41.9	100.0	64.1	35.9
DIDN'T WORK IN 85/ WORKED IN 86		3.3	100.0	46.0	54.0
WORKED 1-26 WEEKS FULL-TIME		9.1	100.0	37.0	63.0
WORKED 1-26 WEEKS PART-TIME		5.2	100.0	57.0	43.0
WORKED 27-52 WEEKS FULL-TIME		33.6	100.0	30.9	69.1
WORKED 27-52 WEEKS PART-TIME		6.9	100.0	67.2	32.9

Table 9. PROPORTIONS OF PERSONS WITH MODERATE DISABILITIES AND AGED 20-55, EMPLOYED, UNEMPLOYED AND NOT IN THE LABOUR FORCE, REQUIRING MORE SUPPORT IN DAILY LIVING ACTIVITIES THAN IS RECEIVED

EMPLOYED	39.6
UNEMPLOYED	40.4
NILF - ABLE	48.8
NILF - PREVENTED	58.5

Table 10. ADULTS WITH DISABILITIES IN THE MODERATE TO SEVERE RANGES, BY FREQUENCY OF PARTICIPATION IN PHYSIO, OCCUPATIONAL, OR SPEECH THERAPY (IN PAST 3 MONTHS), BY LABOUR FORCE STATUS

	% RECEIVED SERVICES	LABOUR FORCE STATUS	
TOTAL	100.0	TOTAL	100.0
		EMPLOYED	30.5
		UNEMPLOYED	5.8
		NILF - ABLE	9.2
		NILF - PREVENTED	50.3
NONE	88.7	TOTAL	100.0
		EMPLOYED	30.0
		UNEMPLOYED	5.7
		NILF - ABLE	9.4
		NILF - PREVENTED	51.0
ONCE	1.7	TOTAL	100.0
		EMPLOYED	34.2
		UNEMPLOYED	5.1
		NILF - ABLE	6.6
		NILF - PREVENTED	47.7
TWO TO FIVE TIMES	1.7	TOTAL	100.0
		EMPLOYED	33.5
		UNEMPLOYED	6.1
		NILF - ABLE	6.3
		NILF - PREVENTED	50.1
SIX TO TEN TIMES	1.4	TOTAL	100.0
		EMPLOYED	36.7
		UNEMPLOYED	9.5
		NILF - ABLE	8.4
		NILF - PREVENTED	43.8
ELEVEN OR MORE TIMES	3.7	TOTAL	100.0
		EMPLOYED	39.7
		UNEMPLOYED	4.7
		NILF - ABLE	6.4
		NILF - PREVENTED	43.9

Table 11. PROPORTION OF PERSONS EMPLOYED, UNEMPLOYED AND NOT IN THE LABOUR FORCE FACING SUPPLY/ACCESS ISSUES AROUND COMMUNITY TRANSPORTATION

	TOTAL	TRANSP. PROBLEMS
CANADA		
EMPLOYED	100.0	39.4
UNEMPLOYED	100.0	39.3
NOT IN LABOUR FORCE	100.0	51.7
RURAL		
EMPLOYED	100.0	89.5
UNEMPLOYED	100.0	89.4
NOT IN LABOUR FORCE	100.0	86.4
CITY < 1 MILLION		
EMPLOYED	100.0	29.1
UNEMPLOYED	100.0	29.5
NOT IN LABOUR FORCE	100.0	45.0
CITY 1 MILLION +		
EMPLOYED	100.0	17.8
UNEMPLOYED	100.0	21.9
NOT IN LABOUR FORCE	100.0	33.1

Table 12. REFUSAL OF EMPLOYMENT BECAUSE OF DISABILITY (i.e., PERCEIVED DISCRIMINATION), BY SEVERITY OF DISABILITY AND BY WHETHER SUPPORT IS REQUIRED/PROVIDED*

		NO REFUSAL	REFUSAL
TOTAL	TOTAL	100.0	100.0
	SUPPORT NOT REQ'D	60.5	41.5
	SUPPORT REQ'D - OK	14.7	17.3
	MORE SUPPORT REQ'D	24.8	41.2
MILD	TOTAL	100.0	100.0
	SUPPORT NOT REQ'D	74.1	64.6
	SUPPORT REQ'D - OK	11.2	12.5
	MORE SUPPORT REQ'D	14.7	22.9
SEVERE/MODERATE	TOTAL	100.0	100.0
	SUPPORT NOT REQ'D	34.9	26.9
	SUPPORT REQ'D - OK	21.4	20.3
	MORE SUPPORT REQ'D	44.3	52.9

* These data are for people who were either employed, actively looking for work, or not in the labour force but who do not consider themselves completely "prevented" from working because of disability.

Table 13. WORKING-AGE PERSONS WITH DISABILITIES ACTIVE IN THE LABOUR FORCE OR NOT ACTIVE BUT CONSIDERING THEMSELVES ABLE TO WORK (EMPLOYED, UNEMPLOYED, NILF-ABLE): PROPORTION REFUSED EMPLOYMENT BECAUSE OF DISABILITY, BY EDUCATIONAL ATTAINMENT

			REFUSAL BECAUSE OF CONDITION?	
			NO	YES
TOTAL	1,077,000	100.0	93.1	6.9
PRIMARY ONLY	204,000	100.0	94.2	5.8
SOME HIGH SCHOOL	310,000	100.0	94.2	5.8
HIGH SCHOOL GRADUATION	114,000	100.0	94.3	5.7
TRADES CERTIFICATE	128,000	100.0	90.1	9.9
SOME POST-SECONDARY	110,000	100.0	88.4	11.6
POST-SECONDARY CERT. OR DIPLOMA	135,000	100.0	92.5	7.5
UNIVERSITY DEGREE	76,000	100.0	96.9	3.1

Table 14. DISCRIMINATION AND INCOME SUPPORT

A) UNEMPLOYED PERSONS REFUSED A JOB IN PAST FIVE YEARS BECAUSE OF DISABILITY: AS A PROPORTION OF UNEMP. PENSION/BENEFIT RECIPIENTS, BY PRINCIPAL SOURCE OF INCOME SUPPORT

TOTAL	15.8
C/QPP	47.6
WCB	18.8
PRIVATE DISABILITY INSURANCE	*5.2
WELFARE/SOCIAL ASSISTANCE	37.3
UNSPECIFIED (NON VETERAN)	25.6
MIXED	47.9
NO PENSION/BENEFITS	12.1

* This figure should be treated with caution, as the estimated number of unemployed persons whose principal source of income support is private disability insurance is small.

B) PERSONS NILF, BUT WHO HAVE LOOKED FOR WORK IN PAST TWO YEARS, HAVING BEEN REFUSED EMPLOYMENT BECAUSE OF DISABILITY: AS A PER CENT OF PENSION/BENEFIT NILF RECIPIENTS WHO HAVE LOOKED FOR WORK IN PAST TWO YEARS, BY PRINCIPAL SOURCE OF INCOME SUPPORT

TOTAL	26.6
C/QPP	18.8
WCB	*32.4
WELFARE/SOCIAL ASSISTANCE	44.9
MIXED	*59.9
NO PENSION/BENEFITS	22.5

* These figures should be treated with caution, as the estimated numbers are small for persons not in the labour force who have looked for work in past two years and who are beneficiaries principally of these programs.

Table 15. EMPLOYED INDIVIDUALS, BY WHETHER EMPLOYMENT EQUITY PROGRAMS TO INCREASE EMPLOYMENT OF PERSONS WITH DISABILITIES ARE IN PLACE, BY SEVERITY OF DISABILITY

	EMP. EQUITY PROGRAM IS IN PLACE		NO PROGRAM		DON'T KNOW	
TOTAL	61,000	100.0	359,000	100.0	190,000	100.0
MILD		56.7		62.2		71.4
MODERATE		34.1		31.8		25.2
SEVERE		9.3		6.0		3.5

Table 16. EMPLOYED PERSONS WITH WORK-RELATED LIMITATIONS, BY WHETHER EMPLOYER HAS EMPLOYMENT EQUITY PROGRAM, AND BY WHETHER EMPLOYEES WERE WITH PRESENT EMPLOYER WHEN LIMITATIONS DUE TO CONDITION BEGAN

	ACQUIRED LIMITATION WHILE IN PRESENT EMPLOYMENT		BECAME LIMITED BEFORE PRESENT EMPLOYMENT	
EMP. EQUITY PROGRAM				
TOTAL	12,000	100.0	13,000	100.0
MILD		30.1		31.8
MODERATE		52.9		48.0
SEVERE		17.0		20.2
NO EMP. EQUITY PROGRAM				
TOTAL	75,000	100.0	67,000	100.0
MILD		38.4		41.1
MODERATE		46.9		47.6
SEVERE		14.7		11.3

Table 17. EMPLOYMENT SITUATION WHERE EMPLOYMENT EQUITY PROGRAMS HAVE BEEN ESTABLISHED

A) ALL EMPLOYED PERSONS WITH DISABILITIES, BY SEVERITY OF DISABILITY

TOTAL	712,000	100.0
MILD		63.4
MODERATE		30.1
SEVERE		6.5

B) PERSONS EMPLOYED (BUT NOT IN SHELTERED WORK), BY SEVERITY OF DISABILITY

TOTAL	692,000	100.0
MILD		64.1
MODERATE		29.8
SEVERE		6.2

C) PERSONS EMPLOYED (BUT NOT IN SHELTERED WORK) WHERE THERE ARE EMPLOYMENT EQUITY PROGRAMS TO INCREASE EMPLOYMENT OF PERSONS WITH DISABILITIES, BY SEVERITY OF DISABILITY

TOTAL	52,000	100.0
MILD		62.2
MODERATE		32.2
SEVERE		5.6

D) PERSONS EMPLOYED (BUT NOT IN SHELTERED WORK) WHERE EMPLOYMENT EQUITY PROGRAMS ARE NOT IN PLACE, BY SEVERITY OF DISABILITY

TOTAL	356,000	100.0
MILD		62.6
MODERATE		31.5
SEVERE		5.9

Table 18. EMPLOYED ADULTS WITH DISABILITIES, NOT IN SHELTERED WORK SETTINGS, WHO HAD WORK-RELATED ACTIVITY LIMITATIONS BEFORE SECURING A JOB WITH THEIR PRESENT EMPLOYER, BY OCCUPATIONAL CATEGORY*

	TOTAL	EMP. EQUITY PROGRAMS	NO EMP. EQUITY PROGRAMS
TOTAL	100.0	100.0	100.0
UPPER LEVEL MANAGERS	0.7	4.1	0.5
MIDDLE AND OTHER MANAGERS	4.5	3.9	3.8
PROFESSIONALS	6.1	12.7	4.9
SEMI-PROFESSIONALS AND TECHNICIANS	5.5	6.9	5.0
SUPERVISORS	1.6	0.6	1.3
FOREMEN/WOMEN	2.9	3.6	2.9
CLERICAL WORKERS	14.5	26.4	13.8
SALE WORKERS	10.6	1.4	10.5
SERVICE WORKERS	9.7	10.6	11.0
SKILLED CRAFTS AND TRADES	7.1	4.7	7.1
SEMI-SKILLED MANUAL WORKERS	11.1	4.7	12.2
OTHER MANUAL WORKERS	18.3	14.5	20.5
NOT STATED	7.4	6.0	6.5
NOT APPLICABLE	0.0	0.0	0.0
	111,000	8,000	66,000

*A considerable number of employed individuals do not know whether employment equity programs are in effect in their workplace.

Table 19. EMPLOYED PERSONS WITH DISABILITIES (NOT IN SHELTERED WORK) BY OCCUPATIONAL CATEGORY AND BY WHETHER EMPLOYMENT EQUITY PROGRAMS ARE IN PLACE: PROPORTIONS HAVING WORK-RELATED LIMITATIONS

		EMP. EQUITY PROGRAMS		NO PROGRAMS
CANADA	52,000	100.0	356,000	100.0
LIMITED AT WORK		56.2		54.5
UPPER LEVEL MANAGERS	1,000	100.0	4,000	100.0
LIMITED AT WORK		42.1		35.1
MIDDLE AND OTHER MANAGERS	7,000	100.0	19,000	100.0
LIMITED AT WORK		40.2		40.2
PROFESSIONALS	11,000	100.0	31,000	100.0
LIMITED AT WORK		59.2		48.5
SEMI-PROFESSIONALS AND TECHNICIANS	4,000	100.0	12,000	100.0
LIMITED AT WORK		82.1		60.9
SUPERVISORS	—		5,000	100.0
LIMITED AT WORK	—			63.6
FOREMEN/WOMEN	2,000	100.0	9,000	100.0
LIMITED AT WORK		50.2		58.1
CLERICAL WORKERS	13,000	100.0	57,000	100.0
LIMITED AT WORK		44.3		48.6
SALES WORKERS	1,000	100.0	38,000	100.0
LIMITED AT WORK		43.6		47.8
SERVICE WORKERS	3,000	100.0	36,000	100.0
LIMITED AT WORK		49.7		56.1
SKILLED CRAFTS AND TRADES	2,000	100.0	32,000	100.0
LIMITED AT WORK		86.9		56.0
SEMI-SKILLED MANUAL WORKERS	2,000	100.0	33,000	100.0
LIMITED AT WORK		70.9		66.7
OTHER MANUAL WORKERS	4,000	100.0	61,000	100.0
LIMITED AT WORK		89.4		60.5

Table 20. PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS, WHETHER SUPPORT FOR PERSONAL CARE NEEDS IS REQUIRED, BY LABOUR FORCE STATUS

CANADA		
TOTAL	340,000	100.0
OTHERS		2.8
EMPLOYED		47.9
UNEMPLOYED		9.0
NILF - ABLE		10.6
NILF - PREVENTED		29.7
PERSONAL CARE SUPPORT NOT REQUIRED		
TOTAL	328,000	100.0
OTHERS		2.7
EMPLOYED		48.4
UNEMPLOYED		9.1
NILF - ABLE		10.8
NILF - PREVENTED		29.1
PERSONAL SUPPORT REQUIRED: SERVICES ENTIRELY PURCHASED OR PURCHASED IN COMBINATION WITH INFORMAL SUPPORTS *		
TOTAL	1,000	100.0
OTHERS		0.4
EMPLOYED		52.7
UNEMPLOYED		25.0
NILF - ABLE		0.8
NILF - PREVENTED		21.1
PERSONAL SUPPORT REQUIRED: INFORMAL SUPPORTS PROVIDED ONLY		
TOTAL	9,000	100.0
OTHERS		9.0
EMPLOYED		34.2
UNEMPLOYED		3.0
NILF - ABLE		4.7
NILF - PREVENTED		49.1
PERSONAL CARE SUPPORT REQUIRED: NONE PROVIDED		
TOTAL	2,000	100.0
OTHERS		0.0
EMPLOYED		34.6
UNEMPLOYED		7.8
NILF - ABLE		11.3
NILF - PREVENTED		46.3

* These data should be treated with caution as the estimated number falling into this category is small.

Table 21. PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS, REQUIRING ASSISTANCE FROM OTHERS WITH DAILY LIVING ACTIVITIES: COMMUNITY SERVICE USERS AND LABOUR FORCE STATUS

CANADA		
TOTAL	235,000	100.0
OTHERS		3.2
EMPLOYED		42.5
UNEMPLOYED		7.3
NILF - ABLE		11.1
NILF - PREVENTED		35.8
NOT COMMUNITY SERVICE USERS		
TOTAL	213,000	100.0
OTHERS		3.2
EMPLOYED		42.1
UNEMPLOYED		7.4
NILF - ABLE		11.7
NILF - PREVENTED		35.6
COMMUNITY SERVICE USERS		
TOTAL	22,000	100.0
OTHERS		3.3
EMPLOYED		46.9
UNEMPLOYED		6.2
NILF - ABLE		5.7
NILF - PREVENTED		37.8

Table 22. PERSONS AGED 20-54. WITH MODERATELY DISABLING CONDITIONS, BY FREQUENCY OF VISITS WITH FAMILY OR FRIENDS OUTSIDE OF PERSONAL RESIDENCE, BY LABOUR FORCE STATUS

CANADA		
TOTAL	340,000	100.0
OTHERS		2.8
EMPLOYED		47.9
UNEMPLOYED		9.0
NILF - ABLE		10.6
NILF - PREVENTED		29.7
NEVER		
TOTAL	26,000	100.0
OTHERS		3.5
EMPLOYED		30.8
UNEMPLOYED		15.6
NILF - ABLE		6.8
NILF - PREVENTED		43.4
1 TO 4 TIMES PER MONTH		
TOTAL	196,000	100.0
OTHERS		2.5
EMPLOYED		49.8
UNEMPLOYED		7.1
NILF - ABLE		9.4
NILF - PREVENTED		31.1
5 TIMES OR MORE PER MONTH		
TOTAL	117,000	100.0
OTHERS		3.2
EMPLOYED		48.7
UNEMPLOYED		10.5
NILF - ABLE		13.4
NILF - PREVENTED		24.2

Table 23. WORKING-AGE PERSONS REQUIRING SUPPORT IN DAILY LIVING ACTIVITIES: PROPORTION EMPLOYED AND RECEIVING "HELP FROM SOMEONE" AT WORK

TOTAL

REQUIRE SUPPORT	967,000	100.0
REQUIRE SUPPORT AND EMPLOYED	282,000	29.2
REQUIRE SUPPORT, EMPLOYED, AND RECEIVE SUPPORT AT WORK		0.5

Table 24. PERSONS AGED 20-54 WITH MODERATELY DISABLING CONDITIONS: WHETHER REHABILITATION SERVICES HAVE BEEN USED IN LAST THREE MONTHS, BY LABOUR FORCE STATUS

CANADA		
TOTAL	340,000	100.0
OTHERS		2.8
EMPLOYED		47.9
UNEMPLOYED		9.0
NILF - ABLE		10.6
NILF - PREVENTED		29.7
NO REHABILITATION		
TOTAL	302,000	100.0
OTHERS		2.7
EMPLOYED		47.0
UNEMPLOYED		8.9
NILF - ABLE		11.0
NILF - PREVENTED		30.4
SOME REHABILITATION		
TOTAL	29,000	100.0
OTHERS		2.9
EMPLOYED		59.5
UNEMPLOYED		6.4
NILF - ABLE		7.1
NILF - PREVENTED		24.1

Table 25. PERSONS AGED 20-54, WITH MODERATE DISABILITIES, WITH HEARING DISABILITIES: COMMUNICATION AND LABOUR FORCE PARTICIPATION

A) PERSONS HAVING NEITHER SIGNING NOR LIP READING SKILLS AND NEEDING ONE OR BOTH OF THESE SKILLS: LABOUR FORCE STATUS

TOTAL	3,000	100.0
OTHERS		0.0
EMPLOYED		18.5
UNEMPLOYED		3.4
NILF - ABLE		71.5
NILF - PREVENTED		6.5

B) PERSONS USING SIGN AND/OR LIP READING, AND NOT REQUIRING MORE OF EITHER SKILL: LABOUR FORCE STATUS

TOTAL	10,000	100.0
OTHERS		2.3
EMPLOYED		67.3
UNEMPLOYED		8.4
NILF - ABLE		6.2
NILF - PREVENTED		15.9

Table 26. WORKING-AGE ADULTS WITH DISABILITIES: % EMPLOYED AMONG THOSE WHO DO AND DO NOT FACE TRANSPORTATION SUPPLY/ACCESS PROBLEMS, BY PROVINCE/TERRITORY

PROVINCE/ TERRITORY	TOTAL EMPLOYED	% EMPLOYED AMONG THOSE FACING PROBLEMS W/TRANS. ACCESS OR SUPPLY	% EMPLOYED AMONG THOSE HAVING NO PROBLEMS W/TRANS. ACCESS OR SUPPLY	% ALL WKG-AGE PEOPLE W/DIS. FACING TRANS. SUPPLY PROBLEMS
CANADA	40.3	34.7	44.9	45.7
NEWFOUNDLAND	27.3	25.5	31.9	72.3
PRINCE EDWARD ISLAND	41.2	41.4	40.2	88.4
NOVA SCOTIA	39.2	39.5	38.8	60.1
NEW BRUNSWICK	33.7	32.6	36.9	74.1
QUEBEC	30.7	23.5	37.4	48.1
ONTARIO	43.2	37.4	46.7	38.2
MANITOBA	50.6	44.0	55.6	43.1
SASKATCHEWAN	48.4	47.3	49.7	55.1
ALBERTA	49.3	41.9	55.1	44.4
BRITISH COLUMBIA	40.2	37.1	42.7	42.7
YUKON	46.8	48.2	46.5	18.0
NORTHWEST TERRITORY	49.5	69.8	41.5	28.3

Table 27. WORKING-AGE PERSONS WITH DISABILITIES REQUIRING (i.e., USING, OR NOT USING BUT NEEDING) AIDS/DEVICES: PROPORTION REQUIRING MORE AIDS/DEVICES THAN WHAT ARE PRESENTLY BEING USED, BY PRINCIPAL SOURCE OF INCOME SUPPORT

		% NEEDING MORE AIDS/DEVICES
TOTAL	100.0	25.3
C/QPP	100.0	28.2
WCB	100.0	15.1
UI SICKNESS BENEFITS	100.0	14.6
PROV. AUTO INSURANCE	100.0	4.4
PRIVATE DISABILITY INSURANCE	100.0	15.4
WELFARE/SOCIAL ASSISTANCE	100.0	35.4
UNSPECIFIED	100.0	22.4
MIXED	100.0	22.0
NO PENSION/BENEFIT	100.0	26.3

Table 28. WORKING-AGE PERSONS WITH DISABILITIES, NOT IN SCHOOL, AND WHETHER HAD CONDITION BEFORE COMPLETING EDUCATION: EDUCATIONAL ATTAINMENT AND LABOUR FORCE STATUS

HAD CONDITION BEFORE COMPLETING EDUCATION

		TOTAL	EMP.	UNEMP.	NILF	UNKN.
TOTAL	100.0	100.0	52.4	10.3	36.7	0.6
PRIMARY ONLY	21.1	100.0	23.2	12.1	64.1	0.6
SOME HIGH SCHOOL	26.1	100.0	48.0	10.9	40.4	0.6
HIGH SCHOOL GRADUATES	10.5	100.0	56.6	8.4	34.5	0.5
TRADES CERTIFICATE	8.8	100.0	69.1	10.2	20.0	0.7
SOME POST-SECONDARY	11.0	100.0	62.8	11.1	25.7	0.4
POST-SECONDARY CERT./DIPL.	13.8	100.0	68.3	8.1	22.7	0.9
UNIVERSITY DEGREE	8.8	100.0	75.9	8.9	15.0	0.2
	361,000					

ACQUIRED CONDITION AFTER COMPLETING EDUCATION

		TOTAL	EMP.	UNEMP.	NILF	UNKN.
TOTAL	100.0	100.0	37.1	6.5	54.9	1.5
PRIMARY ONLY	30.9	100.0	21.6	4.8	72.6	1.0
SOME HIGH SCHOOL	27.6	100.0	38.5	6.8	53.3	1.4
HIGH SCHOOL GRAD	9.5	100.0	39.7	9.0	46.9	4.5
TRADES CERTIFICATE	11.4	100.0	48.4	8.1	41.6	1.9
SOME POST-SECONDARY	7.1	100.0	46.1	7.5	44.6	1.7
POST-SECONDARY CERT./DIPL.	9.2	100.0	53.3	6.0	40.2	0.5
UNIVERSITY DEGREE	4.4	100.0	53.5	5.9	40.4	0.1
	1,197,000					

Table 29. PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS, NOT CURRENTLY IN SCHOOL AND WHO HAD DISABILITY BEFORE COMPLETING FORMAL EDUCATION: LABOUR FORCE STATUS OF THOSE WHO HAVE AND HAVE NOT RETURNED TO SCHOOL FOR TRAINING OR RETRAINING

YES - TRAINED OR RETRAINED			NO TRAINING OR RETRAINING		
TOTAL	21,000	100.0	TOTAL	59,000	100.0
OTHERS		0.2	OTHERS		0.5
EMP. - MAINSTREAM*		48.1	EMP. - MAINSTREAM		45.5
EMP. - SHELTERED		1.8	EMP. - SHELTERED		3.4
UNEMP.		19.9	UNEMP.		9.7
NILF		30.0	NILF		40.8

* The terms *mainstream* and *sheltered* refer to mainstream and sheltered employment.

Table 30. PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS, WITH DISABILITY BEFORE COMPLETING FORMAL EDUCATION, NOT CURRENTLY IN SCHOOL, EMPLOYED IN MAINSTREAM JOBS AND WITH EARNINGS IN PREVIOUS YEAR (1985): EARNINGS BY WHETHER OR NOT INDIVIDUALS HAVE RETURNED TO SCHOOL FOR TRAINING OR RETRAINING

% IN EARNINGS RANGE

EARNINGS RANGE	TRAINING	NO TRAINING	TRAINING	NO TRAINING	EARNINGS RANGE
TOTAL	100.0	100.0			
$1-999	7.0	3.9			
$1,000-2,999	12.5	8.1			
$3,000-4,999	12.4	11.0			
$5,000-6,999	4.6	6.8			
$7,000-9,999	5.8	6.5	42.4	36.4	< $10,000
$10,000-14,999	11.2	18.9			
$15,000-19,999	9.1	14.5	20.4	33.4	$10,000-19,999
$20,000-24,999	9.8	8.4			
$25,000-29,999	4.0	7.9	13.9	16.3	$20,000-29,999
$30,000-34,999	18.1	3.4			
$35,000+	5.3	10.5	23.4	13.9	$30,000+
	9,000	23,000			

Table 31. PERSONS WITH DISABILITIES EMPLOYED IN MAINSTREAM JOBS: WHETHER THOSE WHO HAD DISABILITY BEFORE COMPLETING FORMAL EDUCATION AND NOT CURRENTLY IN SCHOOL EVER RETURNED TO SCHOOL FOR TRAINING/RETRAINING: DISTRIBUTION ACROSS OCCUPATIONAL CATEGORIES

	TOTAL	TRAINING	NO TRAINING
TOTAL	100.0	100.0	100.0
UPPER LEVEL MANAGERS	1.3	0.1	1.4
MIDDLE AND OTHER MANAGERS	5.9	8.4	6.2
PROFESSIONALS	10.4	10.5	15.8
SEMI-PROFESSIONAL AND TECHNICIANS	4.6	10.2	4.8
SUPERVISORS	2.5	3.5	1.9
FOREMEN/WOMEN	2.4	1.5	1.1
CLERICAL WORKERS	14.8	28.3	14.7
SALE WORKERS	8.3	4.8	8.0
SERVICE WORKERS	8.0	6.4	9.5
SKILLED CRAFTS AND TRADES	9.9	3.3	9.4
SEMI-SKILLED MANUAL WORKERS	8.6	4.4	6.9
OTHER MANUAL WORKERS	15.7	9.7	13.8
NOT STATED	7.7	8.9	6.6

Table 32. PERSONS WITH DISABILITIES AGED 15-40 AND EMPLOYED IN MAINSTREAM JOBS, BY OCCUPATIONAL CATEGORY AND BY WHETHER INDIVIDUALS EVER TRAINED BECAUSE OF DISABILITY

	ALL	TRAINING	NO TRAINING
TOTAL	100.0	100.0	100.0
UPPER LEVEL MANAGERS	0.6	0.1	0.4
MIDDLE AND OTHER MANAGERS	5.6	9.2	5.5
PROFESSIONALS	11.0	8.9	14.5
SEMI-PROFESSIONAL AND TECHNICIANS	4.5	5.8	4.0
SUPERVISORS	2.2	4.0	1.1
FOREMEN/WOMEN	1.4	1.3	1.2
CLERICAL WORKERS	18.4	37.7	16.6
SALE WORKERS	8.2	6.6	8.8
SERVICE WORKERS	10.8	7.7	12.6
SKILLED CRAFTS AND TRADES	7.3	3.1	5.6
SEMI-SKILLED MANUAL WORKERS	8.9	4.3	7.1
OTHER MANUAL WORKERS	14.6	7.6	16.9
NOT STATED	6.4	3.7	5.7

Table 33. PERSONS EMPLOYED IN SHELTERED WORKSHOPS/ENCLAVES AS A PROPORTION OF ALL EMPLOYED PERSONS WITH DISABILITIES, BY PROVINCE/TERRITORY*

TOTAL	20,000	2.8
NEWFOUNDLAND		0.7
PRINCE EDWARD ISLAND		3.5
NOVA SCOTIA		1.0
NEW BRUNSWICK		1.6
QUEBEC		3.4
ONTARIO		3.6
MANITOBA		1.3
SASKATCHEWAN		3.6
ALBERTA		0.6
BRITISH COLUMBIA		2.5
YUKON		—
NORTHWEST TERRITORIES		—

* The proportion in sheltered workshops could be higher. These figures represent only people who considered themselves "employed" and in these situations. Other people may have considered themselves only in "training," and so may not have been asked whether they were in a sheltered situation. The data are also only for people coded in the Census as being in private households. It would seem that people living in group homes (it is unclear how many of these people) were coded as residing in "institutions," and therefore are not represented in the household survey.

Table 34. DISTRIBUTION OF EMPLOYED PERSONS WITH DISABILITIES BY PROVINCE: WHETHER EMPLOYED IN MAINSTREAM OR SHELTERED EMPLOYMENT

	MAINSTREAM	SHELTERED
	100.0	100.0
NEWFOUNDLAND	1.5	0.4
PRINCE EDWARD ISLAND	0.5	0.6
NOVA SCOTIA	4.5	1.6
NEW BRUNSWICK	2.8	1.6
QUEBEC	16.8	20.6
ONTARIO	40.5	53.5
MANITOBA	5.6	2.6
SASKATCHEWAN	4.5	5.9
ALBERTA	11.0	2.2
BRITISH COLUMBIA	12.0	11.0
YUKON	0.1	0.0
NORTHWEST TERRITORIES	0.2	0.0
	692,000	20,000

Table 35. PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS: PER CENT RECEIVING DISABILITY PENSIONS/BENEFITS, AND PER CENT NOT FACING NON-REIMBURSED COSTS IN REFERENCE YEAR (1985) BECAUSE OF DISABILITY (i.e., ADEQUATELY COST-COVERED), BY PROVINCE/TERRITORY

	% RECIPIENTS	% RECIPIENTS FULLY COST-COVERED	% NON-RECIPIENTS FULLY COST-COVERED
TOTAL	29.5	60.7	59.4
NEWFOUNDLAND	22.2	66.0	70.5
PRINCE EDWARD ISLAND	35.1	68.2	58.6
NOVA SCOTIA	35.8	67.9	54.5
NEW BRUNSWICK	27.8	65.4	65.6
QUEBEC	26.7	55.4	63.9
ONTARIO	34.8	62.8	60.6
MANITOBA	24.2	58.8	60.1
SASKATCHEWAN	22.2	52.8	45.2
ALBERTA	23.0	62.1	57.0
BRITISH COLUMBIA	27.7	58.0	51.7
YUKON *			
NORTHWEST TERRITORIES *			

* Estimated number of persons this age and disability range too small to include in table.

Table 36. PROPORTION OF INDIVIDUALS AGED 20-54, HAVING MODERATE DISABILITIES, FACING NON-REIMBURSED COSTS BECAUSE OF DISABILITY, BY PRINCIPAL SOURCE OF INCOME SUPPORT

	TOTAL	YES	NO
C/QPP	14,000	51.6	48.2
WCB	26,000	41.2	58.5
UI SICKNESS BENEFITS	3,000	39.6	60.4
PRIVATE DISABILITY INS.	5,000	51.9	48.1
WELFARE/SOCIAL ASSISTANCE	23,000	28.1	71.7
OTHER (NON VETERANS/NO AUTO INS.)	8,000	23.6	76.4
MIXED	12,000	46.7	53.1
NO PENSION/BENEFITS	237,000	40.5	59.4

Table 37. PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS, AND HAVING NO EMPLOYMENT EARNINGS: PROPORTION FACING NON-REIMBURSED DISABILITY-RELATED EXPENSES, BY PRINCIPAL INCOME SUPPORT PROGRAM

	NON-REIMBURSED $ (%)
C/QPP	55.0
WCB	48.5
WELFARE/SOCIAL ASSISTANCE	29.5
UNSPECIFIED (NON VETERANS)	22.0
MIXED	45.6
NO PENSION/BENEFITS	37.1

Table 38. PROPORTION OF PERSONS AGED 20-54, WITH MODERATELY DISABLING CONDITIONS, EARNING < $3,000, FACING NON-REIMBURSED EXPENSES, BY PRINCIPAL INCOME SOURCE

	PROPORTION FACING NON-REIMBURSED COSTS FOR:				
	DRUGS	AIDS	MEDICAL SERVICES	TRANSP.	PERSONAL SERVICES
C/QPP	33.3	16.9	3.5	10.6	3.2
WCB	40.4	19.4	16.9	24.3	0.7
WELFARE/SOCIAL ASSISTANCE	18.3	7.1	5.3	11.8	1.7
UNSPECIFIED	7.2	3.2	3.5	17.1	4.2
MIXED	29.4	13.0	11.2	21.9	5.8
NO PENSION/BENEFIT	24.9	8.2	8.5	12.9	3.0

Table 39. PERSONS AGED 20-54 WITH MODERATELY DISABLING CONDITIONS: LABOUR FORCE STATUS IN YEAR AFTER RECEIVING WELFARE BENEFITS*

	TOTAL	UNKNOWN	EMP.	UNEMP.	NILF -ABLE	NILF -PREV.
CANADA	100.0	3.5	22.5	13.2	8.3	52.5
NEWFOUNDLAND	100.0	3.1	4.4	1.7	13.7	77.2
PRINCE EDWARD ISLAND	+ 100.0	1.1	10.4	4.5	6.6	77.4
NOVA SCOTIA	100.0	1.5	4.2	15.1	6.0	73.2
NEW BRUNSWICK	100.0	2.3	6.4	5.7	6.4	79.3
QUEBEC	100.0	2.5	12.9	13.5	8.4	62.6
ONTARIO	100.0	0.4	48.6	5.2	8.0	37.7
MANITOBA	100.0	4.9	39.7	5.0	1.7	48.8
SASKATCHEWAN	100.0	22.4	24.6	3.1	3.7	46.2
ALBERTA	100.0	2.9	16.5	10.0	1.1	69.5
BRITISH COLUMBIA	100.0	6.9	9.4	28.9	12.0	42.8
YUKON	—					
NORTHWEST TERRITORIES	—					

* These persons may have been receiving income from a variety of sources other than welfare as well.

+ The number of persons in this disability and age range identified as welfare recipients in PEI is very low, so these data should be treated with caution.

Table 40. ASSISTIVE DEVICE USERS (SEEING, HEARING, MOBILITY/AGILITY), AGED 20-54, WITH MODERATELY DISABLING CONDITIONS: PROPORTIONS NOT FACING NON-REIMBURSED DEVICE EXPENSES AND CONSIDERING THEMSELVES COMPLETELY PREVENTED FROM WORKING, BY INCOME SUPPORT PROGRAM

	% NOT FACING NON-REIMBURSED DEVICE COSTS	% WITH FULL DEVICE COST-COVERAGE WHO ARE "PREVENTED" FROM WORKING BECAUSE OF CONDITION	%OF ALL AID USERS (EACH PROGRAM) WITH FULL DEVICE COST-COVERAGE *AND* "PREVENTED FROM WORKING BECAUSE OF CONDITION
ALL PUBLIC/PRIVATE INCOME SECURITY PROGRAMS	77.8	40.2	31.3
C/QPP	58.0	80.3	46.6
WCB	88.0	16.1	14.2
PRIV. DISABILITY*	70.0	25.7	18.0
WELFARE	72.3	45.8	33.1
UNSPECIFIED	91.7	48.9	44.8
MIXED	72.1	59.6	43.0
NO PENSION/BENEFITS	76.2	26.5	20.2

* Total number is very small. Treat this data with caution.

Table 41. PRESCRIPTION MEDICATION USERS, AGED 20-54, WITH MODERATELY DISABLING CONDITIONS: PROPORTIONS NOT FACING NON-REIMBURSED MEDICATION EXPENSES AND CONSIDERING THEMSELVES COMPLETELY PREVENTED FROM WORKING, BY INCOME SUPPORT PROGRAM

	% NOT FACING NON-REIMBURSED MEDICATION COSTS	% OF THOSE W/FULL MEDICATION COST-COVERAGE WHO ARE "PREVENTED" WORKING BECAUSE OF CONDITION	% OF ALL MED. USERS (EACH PROGRAM) WITH FULL MED. COST-COVERAGE *AND* WHO CONSIDER SELVES "PREVENTED" FROM WORKING BECAUSE OF CONDITION
ALL PUBLIC/PRIVATE INCOME SECURITY PROGRAMS	66.2	50.0	33.1
C/QPP	53.1	78.7	41.8
WCB	63.1	18.9	11.9
PRIVATE DISABILITY	59.7	44.9	26.8
WELFARE	85.7	57.9	43.5
UNSPECIFIED	85.7	53.3	45.7
MIXED	59.5	67.1	39.9
NO PENSION/BENEFITS	61.4	35.9	22.1

Table 42. PROPORTION OF ALL USERS OF COMMUNITY SERVICES FOR DAILY LIVING ACTIVITIES CONSIDERING THEMSELVES COMPLETELY PREVENTED FROM WORKING BECAUSE OF CONDITION, BY PRINCIPAL SOURCE OF INCOME SUPPORT

	% COMMUNITY SERVICES USERS "PREVENTED" FROM WORKING
TOTAL	59.7
C/QPP	83.4
WCB	27.1
PRIVATE DISABILITY INSURANCE	46.2
WELFARE/SOCIAL ASSISTANCE	65.1
UNSPECIFIED (NON VETERANS)	59.8
MIXED	73.9
NO PENSION/BENEFITS	53.0

Table 43. "SUCCESS STORIES" ACROSS PROVINCES AND TERRITORIES

	AS % WORKING-AGE PERSONS W/DIS.	AS % OF EMPLOYED PERSONS W/DIS.
CANADA	5.0	12.3
NEWFOUNDLAND	2.5	9.1
PRINCE EDWARD ISLAND	2.3	5.5
NOVA SCOTIA	4.6	11.7
NEW BRUNSWICK	3.1	9.1
QUEBEC	4.8	15.8
ONTARIO	5.4	12.6
MANITOBA	6.5	12.9
SASKATCHEWAN	5.3	10.9
ALBERTA	5.0	10.2
BRITISH COLUMBIA	4.2	10.4
YUKON	5.7	12.3
NORTHWEST TERRITORY	6.0	12.2

Table 44. THE EDUCATIONAL LEVEL OF "SUCCESS STORIES"

	SUCCESS STORIES	OTHER EMP. PERSONS W/DIS. EARNING $15,000+	ALL OTHER PERSONS W/DIS.
TOTAL	100.0	100.0	100.0
PRIMARY ONLY	17.2	10.4	32.6
SOME HIGH SCHOOL	23.0	22.4	28.9
HIGH SCHOOL GRADUATION	9.1	10.8	9.2
TRADES CERTIFICATE	14.8	14.7	9.3
SOME POST-SECONDARY	10.6	10.6	8.1
POST-SECONDARY CERT. OR DIPLOMA	15.1	18.6	8.2
UNIVERSITY DEGREE	10.2	12.5	3.6

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Chairman
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